

NOTICES

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending December 26, 2006.

BANKING INSTITUTIONS

Holding Company Acquisition

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-19-06	GSB Acquisition Corp., Bala Cynwyd, to acquire 100% of Guard Security Bank, Plains, under section 115 of the Banking Code of 1965	Bala Cynwyd	Filed

Conversions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-19-06	Community Bank, National Association Carmichaels Greene County	100 North Market Street Carmichaels Greene County	Effective

To:

Community Bank
Carmichaels
Greene County

Represents conversion from Nationally-chartered banking association to a State-chartered bank and trust company. Community Bank is wholly-owned by CB Financial Services, Inc., an existing bank holding company.

Branches:

3730 Brownsville Road
Pittsburgh
Allegheny County

325 Southpointe Boulevard
Canonsburg
Washington County

714 Brookline Boulevard
Pittsburgh
Allegheny County

200 Main Street
Claysville
Washington County

1993 South Eighty Eight Road
Greensboro
Greene County

Waterdam Centre
4139 Washington Road
McMurray
Washington County

3241 W. Roy Furman Highway
Rogersville
Greene County

100 Miller Lane
Waynesburg
Greene County

90 West Chestnut Street
Washington
Washington County

30 West Greene Street
Waynesburg
Greene County

351 Oak Springs Road
Washington
Washington County

12-19-06	County National Bank Clearfield Clearfield County	Clearfield	Approved
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To:

CNB Bank
Clearfield
Clearfield County

Represents conversion from Nationally-chartered banking association to a State-chartered bank and trust company.

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-15-06	First Columbia Bank & Trust Co. Bloomsburg Columbia County	Bloomsburg	Effective
	Purchase of assets/assumption of liabilities of two branch offices of Keystone Nazareth Bank & Trust Co., Bethlehem, located at: 17 East Main Street Bloomsburg Columbia County		
		2691 Columbia Boulevard Bloomsburg Columbia County	
	Both branches will be consolidated with existing branches of First Columbia Bank & Trust Co. upon acquisition or as soon as possible thereafter.		

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-19-06	S & T Bank Indiana Indiana County	1077 Freeport Road O'Hara Township Allegheny County	Filed
12-18-06	Pennsylvania State Bank Camp Hill Cumberland County	715 Wertzville Road Enola Cumberland County	Filed
12-19-06	CommunityBanks Millersburg Dauphin County	1415 Ritner Highway Carlisle Cumberland County	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

VICTORIA A REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-11. Filed for public inspection January 5, 2007, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Pennsylvania Heritage Areas Program; Fiscal Year 2007-2008 Grant Application Announcement

The Department of Conservation and Natural Resources (Department) announces that applications are now being accepted for grants to be funded from the 2007-2008 Fiscal Year (FY) Pennsylvania Heritage Areas Program (Program). Funding is subject to an appropriation being made available to the Department for the Program in the upcoming 2007-2008 FY budget. The deadline for submission of applications is Friday, April 13, 2007. Applications must be received no later than 5 p.m. in the Harrisburg Central Office of the Department's Bureau of Recreation and Conservation. Applications received after this deadline will not be considered for funding. Faxed submissions are not acceptable.

It is the intent of the Program to create a system of State designated Heritage Areas that preserve and inter-

pret the significant contributions that various regions of this Commonwealth have made to the rich heritage of this Commonwealth and the United States. The historic, cultural, natural, scenic and recreational resources within a Heritage Area are inventoried, preserved, enhanced and promoted as a strategy to enhance regional economic development through the attraction of tourists, creation of new jobs, stimulation of small business growth and the promotion of public and private investment opportunities. There are currently 12 designated State Heritage Areas including the Allegheny Ridge Heritage Area, the Delaware and Lehigh National Heritage Corridor, the Endless Mountains Heritage Region, the Lackawanna Heritage Valley Authority, the Lancaster-York Heritage Region, the Lincoln Highway Heritage Corridor, the Lumber Heritage Region, the National Road Heritage Corridor, the Oil Heritage Region, Pennsylvania Route 6 Heritage Corridor, the Rivers of Steel Heritage Area and the Schuylkill River Heritage Corridor. More information about the designated areas can be found at www.dcnr.state.pa.us; select Heritage Areas.

Designated State Heritage Areas are eligible to apply for grants to undertake heritage area management activities, special purpose studies and implementation projects. Other regions wishing to participate in the Program may

apply for feasibility study grants if they meet the following criteria and are prequalified by the Department:

- Must have a strong industrial and other area-wide theme which significantly relates to this Commonwealth's rich heritage and serves core areas not currently covered by existing Heritage Areas.
- Must be multicounty in size.
- Must have natural, cultural, historic, recreational and scenic resources of State or National significance.
- Have a broad-based public and private partnership and regional coalition supporting the project.
- Must demonstrate a local commitment and leadership capacity to undertake the initiative.

Program Manual/Application Forms

The Program manual provides more specific information on funding levels, program requirements and the application process for this round of funding. The Program manual and application forms are available from the Department. Since each project type has a specific set of application forms, requirements and instructions, persons should specify the type of project when requesting application forms. The Program manual, application forms and additional information about the program can be obtained from C. Alan Chace, Chief, Greenways & Conservation Partnerships Division, Bureau of Recreation and Conservation, Pennsylvania Heritage Areas Program, Department of Conservation and Natural Resources, 6th Floor, Rachel Carson State Office Building, P. O. Box 8475, Harrisburg, PA 17105-8475, (717) 783-5877.

Persons with a disability who wish to submit an application for Program funding and require assistance

with the application should contact Darrel J. Siesholtz at (717) 783-2661 to discuss how the Department may best accommodate their needs. TTY or TDD users call (800) 654-5984.

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 07-12. Filed for public inspection January 5, 2007, 9:00 a.m.]

Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Thursday, January 18, 2007, at 9 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning this meeting or agenda items should be directed to John Quigley at (717) 787-9632.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact John Quigley at (717) 787-9632 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 07-13. Filed for public inspection January 5, 2007, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal waste; discharge into groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the EPA Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for a public hearing on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

I. NPDES Renewal Applications

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PAS703501 (Ind SW)	SemMaterials, LP 6502 S. Yale Avenue Tulsa, OK 74136	Berks County Muhlenberg Township	UNT to Laurel Run Creek 3-C	Y
PA0084484 (SEW)	Salisbury Township 5581 Old Philadelphia Pike Gap, PA 17527	Lancaster County Salisbury Township	UNT Pequea Creek 7-K	Y
PA0087581 (SEW) w/transfer	Centre Township Municipal Authority-Jordan Crossing STP 449 Bucks Hill Road Mohrsville, PA 19541	Berks County Centre Township	UNT Irish Creek 3-C	Y

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

PA0026174, Sewage. The General Authority of the City of Franklin, 430 13th Street, Franklin, PA 16323. This facility is located in the City of Franklin, **Venango County**.

Description of Proposed Activity: This NPDES renewal adds three newly discovered CSO outfalls (008—010) to the permit and removes milestones from the previous CSO special condition. This renewal is being made in conjunction with a COA addressing CSO issues.

The proposed effluent limits for Outfall 001 based on a design flow of 5 mgd are:

<i>Parameter</i>	<i>Loadings</i>			<i>Concentrations</i>	
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			XX		
CBOD ₅	1,042	1,668	25	40	50
Total Suspended Solids	1,251	1,876	30	45	60
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200/100 ml as a geometric average 2,000/100 ml as a geometric average		
Total Residual Chlorine			0.5		1.6
pH			6.0 to 9.0 standard units at all times		

CSO **Outfall No.	Name of Outfall and/or Street Location	Location	Receiving Stream Name
		<i>Latitude</i>	<i>Longitude</i>
002	At the STP	41° 22' 27"	79° 49' 04"
003	CSO-related bypass	41° 22' 27"	79° 49' 04"
004 A	12th Street	41° 23' 55"	79° 49' 36"
004 B	12th Street	41° 23' 55"	79° 49' 36"
007	11th Street	41° 23' 44"	79° 49' 23"
008	8th Street	41° 23' 20"	79° 49' 13"
009	14th Street and Elk	41° 23' 57"	79° 50' 01"
010	14th Street and Liberty	41° 23' 54"	79° 50' 02"

** Refer to Combined Sewer Overflow Management Condition in Part C.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Emlenton Water Company is located on the Allegheny River and is approximately 30 miles below point of discharge.

The receiving streams, the Allegheny River and French Creek, are in watersheds 16-G and 16-D and classified for: WWF, aquatic life, water supply and recreation.

Special Conditions:

1. CSO Management.
2. CSO related bypass.
3. TRC minimization.
4. WETT for next renewal.
5. SSO Condition.

The EPA waiver is not in effect.

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Applications

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. (717) 705-4707.

Application No. PA 0036269, Sewage, **Stewartstown Borough Authority**, Six North Main Street, Stewartstown, PA 17363.

Description of activity: The application is for the renewal of an NPDES permit for an increased discharge of treated sewage from a publicly owned treatment works in Hopewell Township, **York County**.

The receiving water Ebaughs Creek is in Watershed 7-I, and is classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Aberdeen Proving Ground in Maryland is located on Deer Creek, approximately 43 miles downstream. The discharge is not expected to affect the water supply.

The proposed final effluent limits for Outfall 001 based on an annual average flow rate of 0.625 mgd, to become effective 2 years following permit issuance, are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅				
(5-1 to 10-31)	15	22		30
(11-1 to 4-30)	25	40		50
Total Suspended Solids	30	45		60
Total Phosphorus	2.0			4.0
NH ₃ -N				
(5-1 to 10-31)	3.5			7.0
(11-1 to 4-30)	8.5			17
Dissolved Oxygen		minimum of 5.0 at all times		
pH (Standard Unit)		from 6.0 to 9.0 inclusive		
Fecal Coliform				
(5-1 to 9-30)		200/100 ml as a geometric average		
(10-1 to 4-30)		5,300/100 ml as a geometric average		
Total Metals*			Monitor and Report	
Total Nitrogen	Monitor and Report			
Total Kjeldahl Nitrogen	Monitor and Report			
NO ₃ -N + NO ₂ -N	Monitor and Report			
Specific Conductance (µmhos/cm)		Monitor and Report		

* Total Metals include Total Copper, Total Lead, Total Zinc, Total Selenium, Total Silver, Total Mercury, Total Cadmium and Total Antimony.

Individuals may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

III. WQM Industrial Waste and Sewerage Applications Under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

WQM Permit No. 0606409, Sewerage, **Township of Tilden**, 874 Hex Highway, Hamburg, PA 19526. This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a gravity sewage collection system and three pump stations.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

WQM Permit No. 0471412-A1, Sewerage, **Economy Borough Municipal Authority**, 2860 Conway-Wallrose Road, Baden, PA 15005. The existing facility is located in Economy Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for permit amendment to increase the pump station flow to 400 gpm.

WQM Permit No. 6384416-T1-A2, Sewerage, **South Franklin Township**, 100 Municipal Road, Washington, PA 15301. This proposed facility is located in South Franklin Township, **Washington County**.

Description of Proposed Action/Activity: Application for permit amendment to increase size of flow equalization tank and relocate existing digester.

WQM Permit No. WQG016135, Sewerage, **Wesley Glass**, 256 Park Lane, Darlington, PA 16115. This proposed facility is located in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for permit to construct and operate a small flow, single residence, sewage treatment plant.

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

V. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

NPDES Permit

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI011506097	Vintage Development 63 Chestnut Road, Suite 2 Paoli, PA 19301	Chester	East Goshen Township	Hunters Run HQ
PAI012306008	David Greth 2314 Herb Road Temple, PA 19560	Delaware	Edgmont Township	Ridley Creek HQ-TSF
PAI012306009	Halcyon Construction Company P. O. Box 826 Concordville, PA 19331	Delaware	Edgmont Township	Rocky Run HQ-CWF-MF

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Luzerne County Conservation District: Smith Pond Rd., Lehman, PA 18627-0250, (570) 674-7991.

NPDES Permit

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024006007	Williams Gas Pipeline— Transco Attn: Frank Canneto 2800 Post Oak Blvd. Houston, TX 77056	Luzerne	Salem and Huntington Townships	Susquehanna River CWF Little Shickshinny Creek HQ-CWF Huntingdon Creek CWF

Northampton County Conservation District: Greystone Bldg., Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI024806035	Bushkill Preserve, LLC Attn: James Seitz, II 502 Red Barn Dr. Easton, PA 18040	Northampton	Bushkill Township	Bushkill Creek HQ-CWF
PAI024806036	Greenfield Industrial Park 6831 E. 32nd St. Suite 300 Indianapolis, IN 46226	Northampton	Bethlehem and Lower Nazareth Townships	Monocacy Creek HQ-CWF

Lackawanna County Conservation District: 1300 Old Plank Rd., Mayfield, PA 18433, (570) 281-9495.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI023506004	James Blumer R. D. No. 7, Box 7260 Moscow, PA 18444-8709	Lackawanna	Spring Brook Township	Spring Brook HQ-CWF

VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

CAFO Notices of Intent Received

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Application No. PA 0239933. Concentrated Animal Feeding Operation (CAFO), **Lakeland Dairy**, 272 Angel Road, New Wilmington, PA, 16142. Lakeland Dairy has submitted an application for an Individual NPDES permit for an expanded CAFO known as the Lakeland Dairy, located in Wilmington Township, **Mercer County**.

The CAFO is situated near a UNT to Neshannock Creek. The receiving stream is in State Water Plan 20-A and is classified as a TSF. The CAFO will be designed to maintain an animal population of approximately 1,274.4 animal equivalent units consisting of 600 milking cows, 70 dry cows, 120 maternity cows, 75 calves and 350 heifers. Manure will be stored in an existing earthen impoundment with a capacity of 824,805 gallons. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Northwest Regional Office of the Department. Persons may make an appointment to review the files by calling the file review coordinator at (814) 332-6340.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should in-

clude the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Watershed Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

The Environmental Protection Agency permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

PUBLIC WATER SUPPLY (PWS) PERMIT

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and any related documents are on file at the office listed before the application and are available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Water Supply Management Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Application No. 5206505, Public Water Supply.

Applicant Lake Wallenpaupack Estates
Greene Township
Pike County

Responsible Official Richard A. Layer, VP
Lake Wallenpaupack Estates
104 Clubhouse Drive
Greentown, PA 18426
(570) 689-4385

Type of Facility Community Water System

Consulting Engineer Jacqueline A. Peleschak, P. E.
Alfred Benesch & Company
400 One Norwegian Plaza
P. O. Box 1090
Pottsville, PA 17901
(570) 622-4055

Application Received Date December 8, 2006

Description of Action Application for permitting the existing community water system serving the Lake Wallenpaupack Estates development.

Application No. 599877, Public Water Supply.

Applicant Niagara Bottling, LLC
Upper Macungie Township
Lehigh County

Responsible Official Brian Hess, Director of Operations
Niagara Bottling, LLC
5675 E. Concoors Street
Ontario, CA 91764

Type of Facility Bottled Water

Consulting Engineer Barry Isett & Associates, Inc.
85 S. Route 100 and Kressler Lane
Trexlerstown, PA 18087-0147

Application Received Date 11/16/06

Description of Action The construction of a 320,000 sq. ft. bottled water plant.

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 0106516, Public Water Supply.

Applicant Colbier Farms, LLC

Municipality Mt. Joy Township

County Adams

Responsible Official Charles T. Cole, Official President
7 Sunnydale Way
Reisterstown, MD 21136-6118

Type of Facility Public Water Supply

Consulting Engineer Joseph M. McDowell, P. E.
Martin & Martin, Inc.
37 S. Main Street
Chambersburg, PA 17201

Application Received: 11/22/2006

Description of Action Construction of a new community water system with two wells, storage, disinfection, softening and uranium removal.

Permit No. 6705508, Public Water Supply.

Applicant Rutters Brothers Dairy, Inc

Municipality Manchester Borough

County York

Responsible Official Todd M. Rutter, President
2100 N. George St.
York, PA 17401

Type of Facility Public Water Supply

Consulting Engineer Paul K. Francis, P. E.
LSC Design Inc
1110 East Princess Street
York, PA 17403

Application Withdrawn: 12/20/2006

Description of Action Application to install and operate a water treatment and bottling facility in Manchester Township.

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 4906502, Construction Public Water Supply.

Applicant PA-American Water Company
(White Deer District)

Township or Borough Point Township

County Northumberland

Responsible Official Joel Mitchell, Project Manager
PA-American Water Company
(White Deer District)
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Public Water Supply-Construction

Consulting Engineer Karl Shellenberger
Buchart-Horn, Inc.
1200 West College Avenue
State College, PA 16801

Permit Issued Date December 21, 2006

Description of Action Construction of a 750,000 gallon water storage tank and 5,200 feet of 12" diameter water pipe.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 6306503, Public Water Supply.

Applicant **Pennsylvania-American Water Company**
800 Hersheypark Drive
Hershey, PA 17033

[Township or Borough] South Strabane Township

Responsible Official Paul A. Zielinski, Director
Environmental Management and Compliance
Pennsylvania-American Water Company
800 Hersheypark Drive
Hershey, PA 17033

Type of Facility Water booster station

Consulting Engineer

Application Received Date November 13, 2006

Description of Action Construction of the Strabane Manor booster station.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Water Supply Management Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Application Minor Amendment.

Applicant **Aqua Pennsylvania, Inc.**
South Whitehall and Salisbury Townships
Lehigh County

Responsible Official Mark J. Kropilak, VP Corp. Dev.
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010
(610) 645-1026

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date December 4, 2006

Description of Action Application for transfer PWS Permit Nos. 8847W and P662W7 for the community water system serving Country Club Gardens Development from Country Club Gardens Water Company to Aqua Pennsylvania, Inc.

Application Minor Amendment.

Applicant **Aqua Pennsylvania, Inc.**
Lower Macungie Township
Lehigh County

Responsible Official Mark J. Kropilak, VP Corp. Dev.
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010
(610) 645-1026

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date December 4, 2006

Description of Action Application for transfer PWS Permit Nos. 661W1 and 667W020 for the community water system serving Maple Hills Development from Country Club Gardens Water Company to Aqua Pennsylvania, Inc.

Application Minor Amendment.

Applicant **Aqua Pennsylvania, Inc.**
South Whitehall Township
Lehigh County

Responsible Official Mark J. Kropilak, VP Corp. Dev.
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010
(610) 645-1026

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date December 4, 2006

Description of Action Application for transfer PWS Permit Nos. 3968501, 3971501 and 3975503 for the community water system serving Spring House Farms Development from Country Club Gardens Water Company to Aqua Pennsylvania, Inc.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 0206513MA, Minor Amendment.

Applicant **Harrison Township Water Authority**
1705 Rear Freeport Road
Natrona Heights, PA 15065

Township or Borough Harrison Township

Responsible Official Charles Craig, General Manager
Harrison Township Water Authority
1705 Rear Freeport Road
Natrona Heights, PA 15065

Type of Facility Water treatment plant

Consulting Engineer NIRA Consulting Engineers, Inc.
950 Fifth Avenue
Coraopolis, PA 15108

Application Received Date December 4, 2006

Description of Action	Replacement of one raw water/source pump at the raw water pumping station along the Allegheny River and installation of VFD; replacement of one distribution booster pump at the Mt. Airy Booster Station and installation of VFD.
Application No. 0406505MA , Minor Amendment.	
Applicant	Brighton Township Municipal Authority 1300 Brighton Road Beaver, PA 15009
Township or Borough	Brighton Township
Responsible Official	Bryan Dehart, Authority Manager Brighton Township Municipal Authority 1300 Brighton Road Beaver, PA 15009
Type of Facility	Water treatment plant
Consulting Engineer	Lennon, Smith Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108
Application Received Date	December 12, 2006
Description of Action	Renovation of the high school pump station, including replacement of existing pumps and addition of liquid hypochlorite feed system for rechlorination.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

WA 01-1023, Water Allocations. **Mason Dixon Country Club Inc., Adams County.** The applicant is requesting the right to withdraw an average of 300,000 gpd from Marsh Creek in Freedom Township, Adams County. Consulting Engineer: Thomas S Ladue, Dewberry-Goodkind Inc. Application Returned: 11/3/2006.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

WA2-1007, Water Allocations. **Borough of Aspinwall, 217 Commercial Avenue, Aspinwall, PA 15215, Allegheny County.** The applicant is requesting the right to withdraw 574,000 gpd, peak day, from their wells which are located near the Allegheny River. They are also requesting the right to purchase 450,000 gpd, on an emergency basis, from the Fox Chapel Authority and 574,000 gpd, on an emergency basis, from the Pittsburgh Water & Sewer Authority.

WA3-1007, Water Allocations. **Manor Township Joint Municipal Authority, 2310 Pleasant View Drive, Ford City, PA 16226, Allegheny County.** The applicant is

requesting the right to withdraw 600,000 gpd, peak day, from well No. 4 which is located near the Allegheny River.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a Site-Specific Standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a Site-Specific Standard or as a special industrial area, the municipality within which the site is located may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

H. J. Tanner, Inc., Chambersburg Borough, **Franklin County**. B. L. Companies, Inc., 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of H. J. Tanner, Inc., 1120 Mount Rock Road, Shippensburg, PA 17257, submitted a Notice of Intent to Remediate site soils and groundwater contaminated by petroleum hydrocarbons. The property is and will remain a bulk fuel oil and gasoline storage facility. The applicant is seeking to remediate to both the Statewide Health and Site-Specific Standards.

Woodland Retirement Center, Cromwell Township, **Huntingdon County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of Woodland Retirement Center, 18889 Croghen Pike, Orbisonia, PA 17243, submitted a Notice of Intent to Remediate site soils, groundwater and surface water contaminated with heating oil from a removed storage tank. The property is and will remain a retirement center. The applicant is seeking to remediate to the Statewide Health Standard.

Mutual Benefit Group—Huntingdon, Huntingdon Borough, **Huntingdon County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Mutual Benefit Group, 409 Penn Street, Huntingdon, PA 16652, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline and heating oil from removed underground storage tanks. The property was a former gasoline station and will be used commercially for employee parking. The applicant is seeking to remediate to the Statewide Health Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Ambridge Area Brownfields Multiple Properties (11th—19th Streets), Borough of Ambridge **Beaver County**. Frank W. Benacquista, P. G., CEI, KU Resources Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Ambridge Borough, 600 11th Street, Ambridge, PA 15003 has submitted a Notice of Intent to Remediate. Soil and groundwater is from past industrial processes. Soils contain PCBs, lead, heavy metals, PAHs, SVOCs and VOCs above Act 2 Standards. Groundwater is contaminated with lead, heavy metals, SVOCs and VOCs. A Site-Specific Standard is proposed for both soils and groundwater. Remediation measures will include soil covering, paving and deed restrictions. The site is being redeveloped to support new uses including light industrial, commercial and residential.

Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

ACCURIDE ERIE, City of Erie, **Erie County**, MACTEC Engineering and Consulting on behalf of Erie Land Holding, Inc. and Accuride-Erie LP 7140 Office Circle, Evansville, IN 47725 and Greater Erie Industrial Development Corporation 5240 Knowledge Parkway, Erie, PA 16510-4658 has submitted a Notice of Intent to Remediate the migration of benzene, aluminum, beryllium, cadmium, iron, manganese, nickel and lead in groundwater and to recap a former disposal pond. Past use of the property was for manufacturing and future use will continue to be nonresidential.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (act) and regulations adopted under the act.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

39-399-059: GEO Specialty Chemicals, Inc. (2409 North Cedar Crest Boulevard, Allentown, PA 18104) for

installation of an air cleaning device in the formaldehyde processing area of their facility in South Whitehall Township, **Lehigh County**.

35-322-009: Keystone Sanitary Landfill, Inc. (249 Dunham Drive, Dunmore, PA 18512) for installation of an air cleaning device at their landfill in Dunmore and Throop Boroughs, **Lackawanna County**.

40-310-066: Barletta Materials and Construction, Inc. (P. O. Box 550, Tamaqua, PA 18252) for modification of a stone crushing operation and associated air cleaning device at the Nescopeck Sand and Gravel Pit in Nescopeck Township, **Luzerne County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

36-03135D: Shared Mail Acquisitions, LLC (72 Industrial Circle, Lancaster, PA 17540) for installation of a Web 8 heatset press at their KAR Printing—East Division facility in Upper Leacock Township, **Lancaster County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

62-150B: Superior Tire and Rubber Corp. (1818 Pennsylvania Ave West, Warren, PA 16365) plan approval for a waiver of VOC emission limitations at the Superior Tire and Rubber facility, in the City of Warren, **Warren County**. The increase will make the facility a Major Title V entity for HAPs.

25-025K: General Electric Transportation Systems—Erie Plant (2901 East Lake Road, Room 9-201, Erie, PA 16531) for modification of plan approval 25-318-106 condition with regards to the VOC content of the varnish coating in Lawrence Park Township, **Erie County**. This is a Title V facility.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

64-303-011: Hanson Aggregates PA, Inc. (1900 Sullivan Trail, Easton, PA 18040) for modification of a batch asphalt plant to utilize recycled asphalt at the Lake Township Asphalt Plant, on Keystone Road, Lake Township, **Wayne County**. PMs from the plant will be controlled by the installation of a new air-cleaning device. Expected particulate emission rate will be less than 0.02 grain/dscf. The company will operate the facility and maintain the equipment in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval will be incorporated into the company's State-only Operating Permit No. 64-00006 when operational. The operating permit will contain additional recordkeeping and operating restrictions that are designed to keep the facility operating within all applicable air quality requirements.

35-317-005: Polarized Meat Co., Inc. (107 Keystone Industrial Park, Dunmore, PA 18512) for installation of a wet scrubber, high efficiency demister and carbon absorber to replace the existing Quickdraft system to control emissions from the existing cooking lines at the site in the Keystone Industrial Park, Dunmore Borough,

Lackawanna County. This facility is a non-Title V facility. The system will be designed by the company to ensure that the malodorous emissions from the facility will not be detected past the property of the person on whose land the source is being operated, as stated in 25 Pa. Code § 123.31. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. Monitoring and recordkeeping requirements will be contained in the Plan Approval.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

06-05025B: Morgan Corp. (35 Thousand Oaks Boulevard, Morgantown, PA 19543-8838) for construction of a drive-thru paint spray booth with High Volume Low Pressure spray guns at their existing facility in Caernarvon Township, **Berks County**. This facility is a Title V facility. This source will be controlled by the use of dry filters to control PM emissions. The operation of the paint booth at this facility will result in an emissions increase of approximately 12 tons per year of VOCs for a total of 52 tpy and an increase of 1.9 tpy of HAPs for a total combined HAPs emission of 9.2 tpy. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

60-318-012: Q-E Manufacturing Co., Inc. (805 Market Street, New Berlin, PA 17855) for construction of a spray booth and modification of a surface coating operation at 315 Cherry Street in New Berlin Borough, **Union County**. The facility in which the respective surface coating operation is located is not a major (Title V) facility for any air contaminant.

The surface coating operation previously consisted of one spray booth (No. 1) in which cast iron and aluminum wood pellet stove parts are coated with a solvent-containing coating, one spray booth (No. 2) in which powder coating occurs and a 1.5 million Btu per hour propane-fired drying/curing oven. Q-E Manufacturing Company, Inc. proposes to construct a third spray booth (No. 3) in which solvent-containing coatings will be applied and increase the amount of coating used in the surface coating operation such that the resultant VOC emissions will be in excess of the level (2.7 tons per year) which is considered to be of minor significance by the Department of Environmental Protection (Department).

The PM emissions from spray booth Nos. 1 and 3 will be controlled with spray booth filters and the PM emissions from spray booth No. 2 will be controlled with canister filters.

The air contaminant emissions from the modified surface coating operation are not expected to exceed 6.09 tons of VOCs, 2.01 tons of volatile HAPs, 44.8 tons of volatile solvents which are neither VOCs nor volatile HAPs, 1.01 tons of NOx and negligible amounts of PM, CO and SOx per year.

The Department's review of the information submitted by Q-E Manufacturing, Inc. indicates that the modified surface coating operation will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue

plan approval for the construction of Spray Booth No. 3 and the modification of the surface coating operation.

The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. The only coating that shall be applied in Spray Booth Nos. 1 and 3 is Forrest Paint Company High Temperature Satin Black Paint (Product Code 250H231) with a maximum VOC content of .74 pound per gallon of coating and a maximum volatile HAP content of .24 pound per gallon of coating (or alternate coating determined by the Department to have an equivalent, or lower, air contaminant emission potential). This coating shall be used as received from the vendor or supplier. Nothing shall be added to it onsite.

2. No more than 16,200 gallons of Forrest Paint Company High Temperature Satin Black Paint (and/or alternate coatings determined by the Department to have an equivalent, or lower, air contaminant emission potential) shall be used in any 12-consecutive month period.

3. No more than 15 gallons of cleanup solvent shall be used in, or in association with, the surface coating operation in any 12-consecutive month period.

4. The only coatings that shall be applied in spray booth No. 2 shall be powder coatings which contain no VOCs, volatile HAPs or other volatile solvents.

5. Only electrostatic air assisted airless spray guns (or alternate spray technology determined by the Department to have an equivalent, or better, transfer efficiency) shall be used to apply coating in spray booth Nos. 1 and 3.

6. Spray booth Nos. 1 and 3 shall be equipped with spray booth filters at any time coating is occurring in the booths. Spray booth No. 2 shall be equipped with canister filters at any time powder coating is occurring in the booth. Extra filters shall be kept onsite. No spray coating is to occur outside of a spray booth.

7. The PM emissions from the exhaust of spray booth Nos. 1—3 and the associated drying/curing oven shall not exceed .005 grain per dry standard cubic foot of effluent gas volume. Additionally, at no time shall there be any visible air contaminant emissions from the exhausts of any of the three spray booths or the oven (other than water vapor or steam).

8. The only fuel that shall be used in the drying/curing oven shall be propane or natural gas.

9. All containers of materials containing VOCs, volatile HAPs or volatile solvents other than VOCs and volatile HAPs (acetone, and the like) shall be closed except when adding material to, or removing material from, the containers. Spray guns and lines shall be cleaned by either flushing a solid stream of cleaning solvent through them into a closed container in a nonatomized manner or by soaking them in a container of cleaning solvent. At no time shall cleaning solvent be flushed or sprayed into the atmosphere or sprayed into a container as an atomized spray. Used cleaning rags shall be stored in closed containers when not in actual use. Use cleaning rags and coatings, cleaning solvents, and the like shall never be treated in any manner which would unnecessarily promote the evaporative loss of organic compounds, volatile HAPs or other volatile solvents to the atmosphere.

10. The surface coating operation shall comply with all applicable requirements of 25 Pa. Code § 129.52.

11. The total combined VOC emissions from the surface coating operation shall not exceed 6.09 tons in any 12-consecutive month period, the total combined volatile HAPs shall not exceed 2.01 tons in any 12-consecutive month period, the total combined amount of volatile solvents other than VOCs and volatile HAPs shall not exceed 44.8 tons in any 12-consecutive month period and the total combined NOx emissions shall not exceed 1.01 tons in any 12-consecutive month period.

12. Comprehensive, accurate records shall be maintained of the information needed to determine compliance with the limitations and requirements specified herein. Records shall be retained for at least 5 years and shall be made available to the Department upon request.

14-399-016: Spectrum Control, Inc. (1900 West College Avenue, State College, PA 16801) for construction of a ceramic capacitor manufacturing facility in Ferguson Township, **Centre County**.

The plan approval was actually already issued for the construction of this facility on April 18, 2006, but because of numerous changes in facility design, the Department has determined that a new plan approval should be issued.

The facility is as described in the notice of the Department's intent to issue the original plan approval (also numbered 14-399-016) which was published in the 36 Pa.B. 1263 (March 18, 2006), except for the following changes:

- The addition of two ball mills.
- The addition of two scales.
- The addition of one solvent dip tank.
- The addition of four solvent cleaning hoods.
- The addition of eight drying ovens.
- The addition of three kilns.
- The addition of one manual termination machine.
- The addition of one solvent dispensing hood.
- The addition of one epoxy mold curing hood.
- The addition of two screen printers.
- The addition of one wheel cleaning hood.
- The addition of one printing hood.
- The addition of a cyanide destruct system.
- The addition of an ultrasonic machine.
- The addition of a sensitizing line.
- The addition of a gold/electroless nickel line.
- The addition of two wastewater vents.
- The addition of two lab testing hoods.
- The removal of one spray dryer.
- The removal of one solvent hood.
- The removal of one pan bake oven.
- The removal of two banding machines.
- The removal of three drying ovens.

Additionally, the natural gas-fired burner incorporated in a regenerative thermal oxidizer (an air cleaning device) is 1.3 million Btu/hour rather than the originally-approved 1.2 million Btu/hour and the amount of solvent used in a batch vapor degreaser will be greater than originally proposed and approved (250 gallons per year instead of 106 gallons per year).

The air contaminant emissions from the ceramic capacitor manufacturing facility are not expected to exceed 23.2 tons of VOCs per year, of which no more than 5.3 tons are expected to be volatile HAPs, and 8.1 tons of PM (including PM10), .6 ton of NOx, .5 ton of CO and .003 ton of SOx per year. This constitutes an increase of .7 tons of VOCs, .1 ton of NOx and .1 ton of CO per year from the emission rates originally approved and a decrease of 1.2 tons per year of PM (including PM10). The volatile HAPs and SOx emission rates remain unchanged.

The facility is not a major (Title V) facility for any air contaminant.

The Department's review of the information submitted by Spectrum Control, Inc. indicates that the ceramic capacitor manufacturing facility should comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a new plan approval for the construction of the respective ceramic capacitor manufacturing facility.

The following is a summary of the conditions the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable requirements:

1. Conditions contained in the plan approval issued on April 18, 2006, remain unchanged and in effect unless superseded or modified by a condition contained herein.

2. The total combined VOC emissions from the entire facility, excluding those from the batch vapor degreaser, shall not exceed 21.9 tons in any 12-consecutive month period.

3. The total volatile HAPs emissions from the entire facility, excluding those from the batch vapor degreaser, shall not exceed 5.3 tons in any 12-consecutive month period, of which no more than 3.7 tons in any 12-consecutive month period shall be of any single volatile HAP.

4. The total combined PM (including PM10) emissions from the entire facility shall not exceed 8.1 tons in any 12-consecutive month period, the total combined NOx emissions shall not exceed .6 ton in any 12-consecutive month period, the total combined CO emissions shall not exceed .5 ton in any 12-consecutive month period and the total combined SOx emissions shall not exceed .003 ton in any 12-consecutive month period.

5. The batch vapor degreaser shall use no more than 250 gallons of solvent in any 12-consecutive month period.

35-317-005: Polarized Meat Co., Inc. (107 Keystone Industrial Park, Dunmore, PA 18512) for installation of a wet scrubber, high efficiency demister and carbon absorber to replace the existing Quickdraft system to control emissions from the existing cooking lines at the site in the Keystone Industrial Park, Dunmore Borough, **Lackawanna County**. This facility is a non-Title V facility. The system will be designed by the company to ensure that the malodorous emissions from the facility will not be detected past the property of the person on whose land the source is being operated, as stated in 25 Pa. Code § 123.31. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. Monitoring and recordkeeping requirements will be contained in the Plan Approval.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

20-296A: Homerwood Hardwood Flooring (1026 Industrial Drive, Titusville, PA 16354) for construction of the surface coating operations in City of Titusville, **Crawford County**. This is a State-only V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- The facility VOC emissions shall not exceed 49.0 tpy based on a consecutive 12-month period.

- The permittee shall maintain the following records:

- Monthly facility VOC emissions

- Yearly facility VOC emissions based on a consecutive 12-month period

- Sources 101, 102 and 104—108 shall comply with the following:

- Subject to 25 Pa. Code § 123.13 for PM emissions.

- Subject to 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions, respectively.

- The VOC emissions from all surface coating operations shall not exceed 35.25 tpy based on a consecutive 12-month period.

- Subject to 25 Pa. Code § 129.52 for Surface Coating processes.

1. The permittee shall maintain records of the following:

- a. Monthly VOC emissions

- b. Monthly maintain records of the VOC emissions based on a consecutive 12-month period

2. Shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- Source 103 shall comply with the following:

1. Subject to 25 Pa. Code §§ 123.13 and 123.21 for PM and Sulfur emissions.

2. Shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

PLAN APPROVAL

PUBLIC HEARINGS

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

PA No. 54-399-040: Green Renewable Energy, Ethanol and Nutrition-Holding, LLC (1904 Tollgate Road, Palm, PA 18070) for the proposed bio fuel storage and distribution terminal in Porter and Frailey Townships, **Schuylkill County**.

Under 25 Pa. Code § 127.44 and 40 CFR 52.21, the Department is soliciting comments on the proposed Air Quality Plan Approval for Green Renewable Energy, Ethanol and Nutrition-Holding, LLC (the Permittee), 1904

Tollgate Road, Palm, PA 18070, for the proposed Bio Fuel Storage & Distribution Terminal in Porter and Frailey Townships, Schuylkill County as described in the Permittee's September 21, 2006 Plan Approval Application and subsequent supplemental submissions.

The terminal consists of four 500,000-gallon capacity storage tanks, two 3,000,000-gallon capacity storage tanks, one 28,000-gallon capacity storage tank, one 12,000-gallon capacity storage tank and transfer systems for storage and distribution of ethanol and bio fuel. Four 500,000 gallons capacity tanks will be used to store neat ethanol (200 proof or 190 proof), denatured ethanol (a mixture of ethanol denatured with 5% gasoline, by weight), E85 ethanol (a mixture of ethanol denatured with 15% gasoline, by weight), gasoline or biodiesel. Two 3,000,000 gallons capacity tanks will be used to store neat ethanol, denatured ethanol or biodiesel. The facility will also include two loading systems for shipping products to markets by means of tank truck and rail cars and one unloading system for railcars. The facility will include equipment to receive and unload ethanol, biodiesel and gasoline from railcars or tank trucks. The company will ship ethanol, biodiesel and E85 (a fuel blend consists of 85% ethanol and 15 % gasoline).

VOC emissions for the sources will be controlled by three high efficiency vapor destruction units. These units will be capable of controlling 99.9% of VOC emissions. The Plan Approval will required the facility to demonstrate compliance with the emission limitations set by the Department through stack testing.

The proposed project is subject to the various State and Federal New Source Performance Standard (NSPS) requirements.

A review of the information submitted by Green Renewable Energy, Ethanol, & Nutrition-Holding, LLC indicates that the proposed project will meet all applicable State and Federal NSPS air quality requirements. Based upon these findings, Department plans to approve the application and issue a permit for the facility.

The following table summarizes the potential emissions from maximum operation of the terminal according to the application submitted and the Department's own analysis;

<i>Pollutant</i>	<i>Tons Per Year</i>
VOCs	8.17
PM	20.43
PM10	3.99

The emissions of these pollutants are within all applicable emissions limitations and will not cause an exceedance of the National Ambient Air Quality Standards.

To assure compliance with the applicable standards, the Department will place the conditions in the plan approval.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of the Plan Approval, may submit the information to the address shown as follows. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following: name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval No. 54-399-040 and a concise statement regarding the relevancy of the information or any objections to the issuance of the Plan Approval.

A public hearing will be held for the purpose of receiving comments on the proposed air quality plan approval. The hearing will be held on February 8, 2007, at 7 p.m. at the Williams Valley High School Auditorium, located at Route 209, Tower City, PA 17980. Persons interested in commenting are invited to appear at the public hearing.

Copies of the application, the Department's technical review and other supporting documents are available for public inspection between the hours of 8 a.m. and 4 p.m. at the Department's Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. Appointments for scheduling a review may be made by calling (570) 826-2511.

The general procedures for the hearing are as follows:

To develop an agenda for the hearing, the Department requests that individuals wishing to testify at the hearing submit a written notice of their intent. The notice should be sent to Thomas A. DiLazaro, Hearing Examiner, Department of Environmental Protection, Air Quality Program, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. The Department will accept notices up to the day of the public hearing.

This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Individuals who submit a notice of intent to testify will be given priority on the agenda. If time permits, the Department will allow individuals who have not submitted a notice of intent to testify to present their comments.

Each individual will have up to 10 minutes to present testimony. The Department requests that individuals present written copies of their testimony in addition to their oral presentations.

To insure that all speakers have a fair and equal opportunity to present their testimony, relinquishing of time will be prohibited. Further details relating to the procedures to be followed at the hearing will be outlined at the beginning of the hearing.

Persons unable to attend the hearing can submit written testimony to the Department through February 18th, 2007.

The Department will address comments from the public before a final action is taken on the proposal. A summary report addressing the concerns raised by the public will be released should the Department decide to issue the Plan Approval. Send written comments to Thomas A. DiLazaro, Regional Air Quality Program Manager, Wilkes-Barre Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations should contact the Department at the address shown above, or the Pennsylvania AT&T relay service at (800) 654-5984 (TDD) to discuss how the Department may address their needs.

For additional information regarding the above, contact Thomas A. DiLazaro at (570) 826-2511 or write to the Department at the Wilkes-Barre address given previously.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001-4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

23-00084: FPL Energy MH50, LP (100 Green Street, Marcus Hook, PA 19061-0426) to renew the Title V Operating Permit in the Borough of Marcus Hook, **Delaware County**. The initial permit was issued on November 7, 2001. The facility is primarily used for providing steam to processes at the Sunoco Refinery and electrical energy to the grid. As a result of potential emissions of Nox, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

56-00166: PBS Coals, Inc. (1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541) for renewal of their Title V Operating Permit for the Shade Creek Coal Preparation Plant in Shade Township, **Somerset County**. The facility has emissions from coal breaking, screening, handling, drying, transfer and storage. The primary source of emissions is the thermal dryer. The facility is subject to Title V requirements because of its potential to emit NOx, SOx, CO, PM and VOCs exceeds Title V thresholds.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

09-00190: Transcontinental Direct (75 Hawk Road, Warminster, PA 18974-5102) for a Non-Title V Facility, State-only, Synthetic Minor Permit in Warminster Township, **Bucks County**. Transcontinental Direct, is a printing facility. The sources of emissions include six nonheatset web UV lithographic printing presses. The facility has a potential to emit 30 tons per year of VOCs. The company took an emission limit of 24 tons per year of VOCs. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

54-00069: Papetti's Hygrade Egg Products (68 Spain Road, Klingerstown, PA 17941) for operation of a boiler and a spray dryer with associated air cleaning device at their facility in Hubley Township, **Schuylkill County**. This action is an issuance of a State-only (Synthetic Minor) operating permit for this facility. This facility is currently operating under Plan Approval 54-317-003. All requirements of the current Plan Approval will be incorporated into the new State-only (Synthetic Minor) operating permit. This operating permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

35-00062: Wells Cargo, Inc.—PA Division (50 Enterprise Drive, Carbondale, PA 18407) for operation of a paint spray booth and associated air cleaning device at their facility in the City of Carbondale, **Lackawanna County**. This action is an issuance of a State-only (Synthetic Minor) operating permit for this facility. This facility is currently operating under Plan Approval 35-318-083. All requirements of the current Plan Approval will be incorporated into the new State-only (Synthetic Minor) operating permit. This operating permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

58-00008: Pennfield Corp. (Box 222 Mill Street, South Montrose, PA 18843) for operation of a boiler and grain processing mill and associated air cleaning devices at their facility in Bridgewater Township, **Susquehanna County**. This action is an issuance of a State-only (Natural Minor) operating permit for this facility. This facility is currently operating under Plan Approval 58-317-001. All requirements of the current Plan Approval will be incorporated into the new State-only (Natural Minor) operating permit. This operating permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

06-03007: O-Z/Gedney, LLC (150 Birch Hill Road, Shoemakersville, PA 19555) for operation of their gray iron foundry in Perry Township, **Berks County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

07-05031: Union Tank Car Co. (6th Street and Chestnut Avenue, P. O. Box 2003, Altoona, PA 16603) for a facility wide State-only operating permit for the rail tank car abrasive blast, cleaning, coating and flare operations at Altoona Township, **Blair County**. The sources primary emissions are VOCs. The synthetic minor operating permit will contain monitoring, recordkeeping and reporting requirements designed to keep the facility operating within the applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

17-00027: River Hill Coal Company, Inc. (P. O. Box 141, Kylertown, PA 16847) for operation of a coal processing facility (Belford Siding) in Karthaus Township, **Clearfield County**.

The facility incorporates a coal preparation plant and associated coal stockpiling and truck and railcar loading operations, a 90 horsepower diesel generator and five small (340,000 Btu per hour each) No. 2 fuel oil-fired heaters.

The air contaminant emissions from the facility are not expected to exceed 13.44 tons of PM (including PM10), 13.17 tons of NOx, 4.59 tons of SOx, 2.89 tons of CO and 1.08 tons of VOCs per year.

The facility is not a major (Title V) facility for any air contaminant.

The Department proposes to incorporate into the operating permit to be issued conditions requiring compliance

with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously contained in Operating Permit 17-305-007B, issued on October 6, 1998.

The conditions previously contained in Operating Permit 17-305-007B include:

1. Condition requiring an operable water truck to be kept onsite and used for fugitive dust control on facility roadways, and the like.
2. A condition requiring an operable truck wash station to be maintained onsite to remove dirt and mud from truck wheels and undercarriages before trucks exit the site.
3. A condition limiting the onsite speed of front end loaders to 5 miles per hour and the speed of trucks to 10 miles per hour.
4. A condition requiring all trucks loaded with coal entering or exiting the facility by means of public roadways to have their loads tarped or otherwise covered.
5. A condition requiring the front end loader bucket-to-truck and bucket-to-railcar freefall distance to be kept to a minimum during loading.
6. A condition requiring the facility's rotary breakers to be completely enclosed except for the points of material entry and exit.

The Department additionally proposes to incorporate several new conditions into the operating permit to be issued.

7. Conditions prohibiting the use of No. 2 fuel oil and diesel fuel to which reclaimed or waste oil or other waste materials have been added.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Eric Gustafson, New Source Review Chief, (814) 332-6940.

20-00031: Recmix Of Pa. Inc. (359 North Pike Road, Sarver, PA 16055-8633) for reissuance of a Natural Minor Permit to operate a stainless steel screening process from slag and synthetic cement manufacturing facility. The major sources included: hy-way thermal fluid treatment system, truck travel, materials handling, front end loaders travel, slag crushing, wind erosion from storage piles, slag skull screening and holo-flight aggregate dryer in Windfield Township and **Butler County**.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to applications will also address the applicable

permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

Effluent Limits—The following coal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0;	less than 9.0

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 mg/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

Permit No. 32040104 and NPDES No. PA0249629. KMP Associates, Inc. (1094 Lantz Road, Avonmore, PA 15618). Permit revision of an existing bituminous surface and coal refuse reprocessing mine to mine through and reconstruct Township Road 332 in Young Township, **Indiana County**, affecting 40.5 acres. Receiving streams: UNT to Whiskey Run to Blackleggs Creek classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 30, 2006.

Permit No. 32960103 and NPDES No. PA021331. Kraynak Coal Company (3124 Firetower Road, Mahaffey, PA 15757-9501). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Grant and Green Townships, **Indiana County**, affecting 329.7 acres. Receiving streams: UNT to East Run and Little Mahoning Creek and UNT to North Branch of Two Lick Creek classified for the following uses: HW-CWF and CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 14, 2006.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17803108 and NPDES No. PA0127906. SRP Coal Company, Inc. (5510 State Park Road, Penfield, PA 15849). Renewal of NPDES permit in Lawrence Township, **Clearfield County**. Receiving stream: Montgomery Creek. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: December 6, 2006.

45A76SM16 and NPDES No. PA0256455. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Renewal of NPDES permit in Brady Township, **Clearfield County**. Receiving stream: UT to East Branch Mahoning Creek. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: December 6, 2006.

17800124 and NPDES No. PA0128023. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Renewal of NPDES permit in Decatur Township, **Clearfield County**. Receiving stream: Upper Morgan Run/Clearfield Creek. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: December 6, 2006.

17800147 and NPDES No. PA0256463. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Renewal of NPDES permit in Lawrence Township, **Clearfield County**. Receiving stream: Moose Creek. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: December 6, 2006.

17020902 and NPDES No. PA0242918. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Transfer of an existing bituminous surface mine from Johnson Brothers Coal Company (1390 Lee Run Road, Mahaffey, PA 15767), located in Lawrence Township, **Clearfield County**, affecting 16.9 acres. Receiving streams: Laurel Run to Little Clearfield Creek, classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Transfer application received: December 12, 2006.

17060113 and NPDES No. PA0256471. Allegheny Enterprises, Inc. (3563 Roller Coaster Road, Corsica, PA 15829). Commencement, operation and restoration of a bituminous surface mine in Brady Township, **Clearfield County**, affecting 60.9 acres. Receiving streams: Stump Creek and Limestone Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: December 15, 2006.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.

54060202. Cruz Bay Trading, Inc. (P. O. Box 30256, Elkins Park, PA 19027). Commencement, operation and restoration of an anthracite coal refuse reprocessing, refuse disposal and coal processing facility in Frailey Township, **Schuylkill County** affecting 25 acres, receiving stream: none. Application received: December 15, 2006.

Noncoal Applications Received

Effluent Limits

The following noncoal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity ¹ pH ¹	greater than 6.0; less than 9.0		

¹ The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 mg/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

20870305. Hillside Stone, LLC (9397 Fauncetown Road, Titusville, PA 16354-2727). Transfer of an existing sand and gravel operation in Troy Township, **Crawford County** affecting 33.5 acres. Receiving streams: UNT to

Sugar Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from IA Construction Corporation. Application received: December 18, 2006.

3776SM20. Hillside Stone, LLC (9397 Fauncetown Road, Titusville, PA 16354-2727). Transfer of an existing sand and gravel operation in Plum and Troy Townships, **Venango and Crawford Counties** affecting 13.7 acres. Receiving streams: UNT to Sugar Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from IA Construction Corporation. Application received: December 18, 2006.

20940304. Hillside Stone, LLC (9397 Fauncetown Road, Titusville, PA 16354-2727). Transfer of an existing sand and gravel operation in Plum and Troy Townships, **Venango and Crawford Counties** affecting 44.0 acres. Receiving streams: UNT to Sugar Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from IA Construction Corporation. Application received: December 18, 2006.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

4775SM18 and NPDES No. PA0116459. Hanson Aggregates (1900 Sullivan Train, Easton, PA 18040). Renewal of NPDES Permit in Marion Township, **Centre County**. Receiving streams: Nittany Creek to Bald Eagle Creek to West Branch Susquehanna River to Susquehanna River. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: December 14, 2006.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.

7175SM1A1C10 and NPDES Permit No. PA0613827. Penny Supply, Inc. (P. O. Box 3331, Harrisburg, PA 17105). Renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in South Hanover Township, **Dauphin County**, receiving stream: Swatara Creek, classified for the following use: WWF. Application received: December 20, 2006.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Individuals will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

E17-420. Mid-East Oil Company, P. O. Box 1378, Indiana, PA 15701, Bark Camp Run-South Road Crossing, in Huston Township, **Clearfield County**, ACOE Baltimore District (Penfield, PA Quadrangle Latitude: 41° 10' 44"; Longitude: 78° 34' 50").

An after-the-fact application to operate and maintain a private road crossing Bark Camp Run (CWF) that will provide access for natural gas exploration and extraction. The road crossing shall be operated and maintained with a minimum of three corrugated plastic culvert pipes with the central culvert pipe having a minimum diameter of 60-inches and the pipes on either side having a minimum diameter of 36-inches. All rock used for maintenance on the road crossing and its approaches shall be clean, nonpolluting rock free of fines. As constructed the road crossing did not impact any wetlands while impacting a maximum of 30-feet of waterway. The project is located along the southern right-of-way of SR 0255, approximately 1.44-miles east of Bark Camp Run Road and SR 0255 intersection.

E17-425. Department of Transportation-Engineering District 2-0, P. O. Box 342, 1924-30 Daisy Street, PA 16830. SR 0879, Section A01 Lick Run Bridge Project, Goshen and Lawrence Townships, **Clearfield County**, ACOE Baltimore District (Clearfield, PA Quadrangle Latitude: 41° 02' 52"; Longitude: 78° 22' 57").

The applicant proposes to remove an existing structure and construct, operate and maintain a five span prestressed concrete I-beam bridge across and its piers with associate rock fill within the 100-year floodplain of Lick Run (HQ-CWF) for improved highway safety. The five span bridge shall be constructed with each span measuring 122 feet for a length of 640 feet, a minimum

underclearance of 30 feet at Lick Run and skew of 90°. The project will not permanently impact wetlands or stream channel while temporarily impacting 20 feet of Lick Run located along the northern right-of-way of I-80 approximately 1.4 miles north of SR 0879 and I-80 intersection. This permit also authorizes temporary construction road crossings, cofferdams, causeways and/or bridges necessary for constructing the five span bridge. Temporary structures shall be constructed of clean stone free of fines. Upon completion of the project, all temporary construction shall be removed, with all disturbed areas being fully restored to original contours, elevations and vegetative cover.

E18-417. Clinton County Commissioners, 232 East Main Street, Lock Haven, PA 17745. Tangascootack No.1 Treatment System. Beech Creek Township, **Clinton County**. ACOE Baltimore District, Howard North West USGS Topographical Quadrangle 410 08' 39"; 770 38' 48". Tangascootack Creek watershed (CWF).

The purpose of the project is to rehabilitate an existing passive mine drainage treatment system and to construct a self-flushing limestone treatment cell. Construction of the treatment cell will require an encroachment into 0.05 acre of palustrine emergent wetland. Wetlands will be replaced at a 1:1 ratio.

E41-572. RB Montoursville, LLC, c/o RD Management, 810 Seventh Ave., 28th Floor, New York, NY 10019. Application for Montour Crossing, Development Project, in Fairfield Township, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville North, PA Quadrangle N: 41° 16' 9.38"; W: 76° 55' 0.26").

To construct and maintain a 42-acre removal of fill from the floodway of the Loyalsock Creek, 12 inch water line under Loyalsock Creek, stormwater outfall along Mill Creek (East), 4 inch sanitary sewer line under Mill Creek (East) and widening of SR 0087 bridge over Mill Creek (East) in Fairfield Township, Lycoming County. This project proposes to have impacts to the floodways of both the Loyalsock Creek and Mill Creek (East), which are designated a TSF and CWF, respectively. This project does not propose to impact any jurisdictional wetlands.

Southwest Region: Watershed Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E63-592. Chartiers Township, 2 Buccaneer Drive, Houston, PA 15432. To construct a box culvert in Chartiers Township, **Washington County**, Pittsburgh ACOE District. (Washington East, PA Quadrangle N: 17.9 inches; W: 13.1 inches and Latitude: 40° 13' 25"—Longitude: 80° 13' 8"). The applicant proposes to construct and maintain a 250 ft. long stream relocation; a

165 ft. long, 16.5 ft. wide by 6 ft. concrete box culvert, depressed 1 ft.; a 200 ft. long, 16.5 ft. wide by 6 ft. concrete box culvert depressed 1 ft. to replace a 5 ft. diameter cnp culvert; and stormwater outfalls in an UNT to Chartiers Creek (WWF) with a drainage area of 2.36 square miles. This project is to be coordinated with the adjoining the Department of Transportation (E63-593) culvert replacement project. Both projects provide for road and safety improvements to the intersections of Racetrack Road (SR 1041), Pike Street (SR 1009) and Allison Hollow Road (T 641).

E63-593. Department of Transportation, District 12-0, North Gallatin Avenue Extension, Uniontown, PA 15401. To construct a box culvert in Chartiers Township, **Washington County**, Pittsburgh ACOE District. (Washington East, PA Quadrangle N: 17.9 inches; W: 13 inches and Latitude: 40° 13' 25"—Longitude: 80° 13'08"). The applicant proposes to construct and maintain a 127 ft. long, 16.5 ft. wide by 6 ft. concrete box culvert, depressed 1 ft. in an UNT to Chartiers Creek (WWF) with a drainage area of 2.36 square miles to replace the existing 5 ft. diameter culvert lined Pike Street (SR 1009) bridge. This project is to be coordinated with the proposed adjoining Chartiers Township (E63-592) stream relocation and culvert replacement project. Both projects provide for road and safety improvements to the intersections of Racetrack Road (SR 1041), Pike Street (SR 1009) and Allison Hollow Road (T 641).

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

E14-487. Robert S. McGrail-Peasley, 2045 Runville Road, Bellefonte, PA 16823, Berm/bridge/culvert, in Boggs Township, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches).

To construct and maintain: 1) 340 foot long by 2 foot wide by 2 foot high earthen berm on the top of the right bank of an UNT to Wild Cat Run for the purpose of protecting an earthen road from flood waters; 2) a wooden pedestrian bridge with a 19-foot clear span and 4-foot underclearance across Wild Cat Run for private use; 3) a 24-inch diameter HDPE culvert with a rock headwall to make a new road crossing near the upstream limit of the earthen berm, located 3,100 feet upstream of the intersection of Gum Stump Road and Runville Road (SR 144) (Bellefonte, PA Quadrangle N: 21.07 inches; W: 13.35 inches) in Boggs Township, Centre County. This project proposes to impact 340 linear feet of the UNT to Wild Cat Run and 5 linear feet of Wild Cat Run that are tributaries to Wallace Run, which is classified as a HQ-CWF and proposes no wetland impacts.

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal wastes; discharges to groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS232209	Jeld-Wen, Inc. P. O. Box 1547 Klamath Falls, OR 97601	Ringtown Borough Schuylkill County	UNT to Dark Run and UNT to Little Catawissa Creek 3A	Y

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085430 (SEW)	Robin Hill Camping Resort 149 Robin Hill Road Lenhartsville, PA 19534	Berks County	UNT Maiden Creek 3-B	Y
PA0087165 (IW)	Bleyer Gift Packs, LLC 500 Walnut Street Extension Mount Union, PA 17066	Huntingdon County Mount Union Borough	Juniata River 12-C	Y
PA0084450 Amendment No. 2 (IW)	Washington Headquarters Service Raven Rock Mountain Complex Site R 201 Beasley Drive, Suite 100 Frederick, MD 21702	Adams County Liberty Township	Miney Branch and UNT Miney Branch 13-D	Y
PA0080314 (IW)	Hampden Township Roth Lane STP 230 South Sporting Hill Road Mechanicsburg, PA 17050-3097	Cumberland County Hampden Township	Sears Run and Conodoguinet Creek 7-B	Y

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0094706	Economy Development Company, Inc. 1259 Freedom Crider Road Freedom, PA 15042	Beaver County New Sewickley Township	UNT of North Fork big Sewickley Creek	Y
PA0217514	Honeywell Electronic Materials, Inc. 105 Hartzell School Road Fombell, PA 16123-9518	Beaver County Marion Township	Connoquenessing Creek	Y

Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0091189	Slippery Rock Campground Association 1150 West Park Road Slippery Rock, PA 16057	Worth Township Butler County	Slippery Rock Creek 20-C	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

WQM Permit No. WQ01050601, Sewerage, **Richard Riley**, 167 Village Road, Osterburg, PA 16667-8441. This proposed facility is located in West Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow treatment system to serve their single family residence at 14336 Lincoln Highway, Everett, PA 15537.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

WQM Permit WQG016131, Sewerage, **Delbert F. Coy**, 2330 Manor road, Clymer, PA 15728. This proposed facility is located in Cherryhill Township, **Indiana County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a small flow sewage treatment plant.

WQM Permit WQG026110, Sewerage, **Beaver County Corporation for Economic Development**, 250 Insurance Street, Beaver, PA 15009. This proposed facility is located in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pump station.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906018	Park Ten Group 21337 Valley Forge Circle King of Prussia, PA 19406	Bucks	Sellersville Borough	East Branch Perkiomen Creek (TSF)

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023905024	Heritage Building Group, Inc. 2500 York Road Jamison, PA 18929	Lehigh	Upper Macungie Township	Spring Creek (HQ-CWF)
PAI025206004	Spring Valley Builders, Inc. 107 Hern Road Greentown, PA 18426	Pike	Greene Township	Wallenpaupack Creek (HQ-CWF)

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Single Residence Sewage Treatment Plants
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

General Permit Type—PAG-02

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Brookhaven Borough Delaware County	PAG2002306051	Wawa, Inc. 360 West Baltimore Pike Wawa, PA 19063	Ridley Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106043	School District of Philadelphia 440 North Broad Street Philadelphia, PA 19130-4015	Delaware River (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Scranton Lackawanna County	PAG2003506019	Gerald Raymond 801 Monroe Ave. Scranton, PA 18510	Leggetts Creek TSF	Lackawanna Co. Cons. Dist. (570) 281-9495
City of Wilkes-Barre Luzerne County	PAG2004006038	Comfort Design Realty Co. Attn: Colin Keefer 1167 N. Washington St. Wilkes-Barre, PA 18705-3738	Mill Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Plains Township Luzerne County	PAG2004006040	Plains Animal Hospital Attn: Douglas Ayers 198 Carverton Rd. Trucksville, PA 18708-1710	Susquehanna River WWF	Luzerne Co. Cons. Dist. (570) 674-7991
Washington Township Schuylkill County	PAG2005406011	Deerview Estates Attn: Brian Romeo 120 W. Drehersville Rd. Orwigsburg, PA 17961	Swatara Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Allen Township Northampton County	PAG2004806001	B & S Investment Co. 3000 Cabot Blvd., Suite 200 Langhorne, PA 19047	Hokendauqua Creek CWF	Northampton Co. Cons. Dist. (610) 746-1971

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Whitehall Township Lehigh County	PAG2003906023	Daniel McNeill Whitehall Township 3219 MacArthur Rd. Whitehall, PA 18052	Coplay Creek CWF	Lehigh Co. Cons. Dist. (610) 391-9583
Lycoming County Wolf and Muncy Townships	PAG2044106020	Williams Gas Pipeline Transco 2800 Post Oak Blvd. Houston, TX 77056	Carpenters Run and Tribes WWF Oak Run and Tribes CWF Wolf Run and Tribes CWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Union County Kelly Township	PAG2006006016	Levi Beachy 2076 Little Mexico Rd. Winfield, PA 17889	West Branch Susquehanna River WWF	Union County Conservation District Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837 (570) 524-3860
Cambria County Cresson Township	PAG2001106017	Joseph Cyran Cycor Development, Inc. 6856 Admiral Perry Hwy. Loretto, PA 15940	UNT Clearfield Creek (CWF)	Cambria County CD (814) 472-2120
Greene County Franklin Township	PAG2003006012	Department of Transportation Engineering District 12-0 825 Gallatin Avenue Uniontown, PA 15401	South Fork Ten Mile Creek (WWF)	Greene County CD (724) 852-5278
Washington County Chartiers Township	PAG20063060261	Villas of Arden Mills Hawthorne Partners, Inc. 102 W. Pike St. Suite 200 Houston, PA 15342	Chartiers Creek (WWF)	Washington County CD (724) 228-6774
Washington County Somerset Township and Bentleyville Borough.	PAG2006306034	Bentworth School District 150 Bearcat Drive Bentleyville, PA 15314	UNT to Pigeon Creek (WWF)	Washington County CD (724) 228-6774
Butler County Adams Township	PAG2001006028	Breakneck Creek Regional Authority P. O. Box 1180 Mars, PA 16045	UNT Kaufman Run WWF	Butler County Conservation District (724) 284-5270

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Berks County Union Township	PAR803695	Richland Partners, LLC d/b/a Dampman Sturges Vally Oil P. O. Box 659 Douglassville, PA 19518	UNT Schuylkill River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County York City	PAR203585	New York Wire Company (Weaving Facility) P. O. Box 0866 Mt. Wolf, PA 17347-0866	UNT Codorus Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Mt. Wolf Facility	PAR133509	New York Wire Company (Textile Facility) P. O. Box 0866 Mt. Wolf, PA 17347-0866	Hartman Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Spring Garden Township	PAR503586	New York Wire Company (Textile Facility) P. O. Box 0866 Mt. Wolf, PA 17347-0866	Mill Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Deer Township Allegheny County	PAR236112	Air Products and Chemicals, Inc. 7201 Hamilton Blvd. A11B1 Allentown, PA 18195-1501	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Marshall Township Allegheny County	PAR116123	Mitsubishi Electric Power Products, Inc. 530 Keystone Drive Warrendale, PA 15086-7537	Brush Creek Basin	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Marion Township Beaver County	PAR226103	TSO of Ohio 115 West Street Fombell, PA 16123	Connoquenessing Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Springhill Township Fayette County	PAR806211	Gallatin Fuels, Inc. 250 West Main Street Uniontown, PA 15401	Monongahela River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free

pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Action Taken Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17)

Northeast Region: Water Supply Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. Minor Amendment Public Water Supply.

Applicant	Pennsylvania American Water Company (PAWC) 800 West Hersheypark Dr. Hershey, PA 17033 Bridgewater Township
County	Susquehanna
Type of Facility	PWS
Consulting Engineer	Scott Thomas, P. E. PAWC 852 Wesley Dr. Mechanicsburg, PA 17055
Permit to Construct Issued	12/18/2006

Permit No. Minor Amendment Public Water Supply.

Applicant	Pennsylvania American Water Company (PAWC) 800 West Hersheypark Dr. Hershey, PA 17033 Coolbaugh Township
County	Monroe

Type of Facility PWS
 Consulting Engineer Scott Thomas, P. E.
 PAWC
 852 Wesley Dr.
 Mechanicsburg, PA 17055

Permit to Construct 12/18/2006
 Issued

Southcentral Region: Water Supply Management Program Manager; 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 3605502, Public Water Supply.

Applicant **Manheim Borough Authority**
 Municipality Manheim Borough
 County **Lancaster**
 Type of Facility The addition of Well No. 6 to augment the existing sources of supply.

Consulting Engineer George H. Wagner Jr.
 Rettew Assoc., Inc.
 3020 Columbia Ave.
 Lancaster, PA 17603

Permit to Construct 12/14/2006
 Issued:

Permit No. 2806501, Public Water Supply.

Applicant **Waynesboro Borough Authority**
 Municipality Waynesboro Borough
 County **Franklin**
 Type of Facility The addition of Well No. 2 to augment the existing sources of supply and treatment. Treatment will consist of nanofiltration and disinfection.

Consulting Engineer James C. Elliot, P. E.
 Gannett Fleming, Inc.
 P. O. Box 67100
 Harrisburg, PA 17106-7100

Permit to Construct 11/30/2006
 Issued:

Permit No. 3606503, Minor Amendment, Public Water Supply.

Applicant **Taylor's Mobile Home Park**
 Municipality Eden Township
 County **Lancaster**
 Type of Facility Project proposes to install anion exchange to remove elevated levels of nitrate in the sources of supply.

Consulting Engineer Charles A. Kehew II, P. E.
 James R. Holley & Assoc., Inc.
 18 South George St.
 York, PA 17401

Permit to Construct 11/29/2006
 Issued:

Operations Permit issued to **Warwick Township Municipal Authority**, Warwick Township, **Lancaster County** on 12/8/2006 for the operation of facilities approved under Construction Permit No. 3604512.

Operations Permit issued to **Kauffman Community Center**, Antrim Township, **Franklin County** on 12/4/2006 for the operation of facilities approved under Construction Permit No. 2805510.

Operations Permit issued to **Altoona City Authority**, Antis Township, **Blair County** on 11/30/2006 for the operation of facilities approved under Construction Permit No. 0706501 MA.

Northcentral Region: Water Supply Management Program Manager; 208 West Third Street, Williamsport, PA 17701.

Permit No. M.A.—Operation Public Water Supply.

Applicant **Wellsboro Municipal Authority**
 Township or Borough Delmar Township
 County **Tioga**

Responsible Official Thomas Rudy, Chairperson
 Wellsboro Municipal Authority
 28 Crafton Street
 Wellsboro, PA 16901

Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued Date December 19, 2006
 Description of Action Operation of the new transmission line.

Southwest Region: Water Supply Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Operations Permit issued to **Tri-County Joint Municipal Authority**, P. O. Box 758, 26 Monongahela Avenue, Fredericktown, PA 15333, (PWS ID 5630045) Centerville Borough, **Washington County** on December 5, 2006, for the operation of facilities approved under Construction Permit No. 6302503.

Permit No. 6306502MA, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania-American Water Company**
 800 Hersheypark Drive
 Hershey, PA 17033

Borough or Township Jefferson Township
 County **Washington**
 Type of Facility Avella water storage tank
 Consulting Engineer
 Permit to Construct December 5, 2006
 Issued

Permit No. 3206501MA, Minor Amendment. Public Water Supply.

Applicant **Pennsylvania-American Water Company**
 800 Hersheypark Drive
 Hershey, PA 17033

Borough or Township White Township
 County **Indiana**
 Type of Facility Pleasant Hills water storage tank

Consulting Engineer

Permit to Construct December 5, 2006
Issued

Permit No. 5650053T1, Minor Amendment. Public Water Supply.

Applicant **Chip Shirey**
Rock Springs Court
P. O. Box 64
Greensburg, PA 15401

Borough or Township Salem Township
County **Westmoreland**
Type of Facility Mobile Home Court

Consulting Engineer
Permit to Operate December 12, 2006
Issued

Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Operations Permit issued to: **Reynolds Water Company**, (PWS ID 6430057) Pymatuning Township, **Mercer County**. Permit No. 4303502, issued December 14, 2006, for the operation of ammonia and potassium permanganate feed systems, as permitted under the construction permit issued October 5, 2006.

Transfer of Operations Permit issued to: **Jeffrey Davenport, Lake Properties Holdings, LLC**, (PWS ID 6200012) Summit Township, **Crawford County**. Permit No. 2089501-T1, issued December 14, 2006, for the operation of Well No. 1 and Well No. 2 for Jo-Winn Mobile Home Park as permitted under the construction/operations permit issued March 27, 1991.

Transfer of Operations Permit issued to: **Brady Hills Mobile Home Park**, (PWS ID 5100869) Brady Township, **Butler County**. Permit No. 1001502-T1, issued December 14, 2006, for the operation of Wells No. 1 through No. 4 for the former Peter Rabbit Campground, Inc. d/b/a Brady Hills Mobile Home Park, as permitted under the construction/operations permit issued April 13, 2004. This transfer includes the consolidation and cancellation of permits 1094505 and 1097508, as no longer applicable.

Permit No. 8771-W-T1-MA2, Public Water Supply

Applicant **Pennsylvania American Water Company**
Township or Borough Clarion Township
County **Clarion**
Type of Facility Public Water Supply
Permit to Construct 12/14/2006
Issued

Permit No. 3789504-T1-MA2, Public Water Supply

Applicant **Pennsylvania American Water Company**
Township or Borough Neshannock Township
County **Lawrence**
Type of Facility Public Water Supply
Permit to Construct 12/14/2006
Issued

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth

Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

WA 06-1024, Water Allocations. Morgantown Properties, LP.

Morgantown Properties, LP, Berks County. This application is to withdraw 288,000 gpd on a peak daily basis from Back Creek/Mill Pond. This application is being republished in the *Pennsylvania Bulletin* because the permittee's name has changed from New Morgan Properties, LP to Morgantown Properties, LP. No other changes have been made to the previous application that was published in the *Pennsylvania Bulletin* on 2/18/06. Consulting Engineer: R. Scott Hughes, P. E., Gannett Fleming, Inc. Permit Issued: 12/14/2006.

STORMWATER MANAGEMENT

Action on plans submitted under the Stormwater Management Act of October 4, 1978 (32 P. S., Section 680.9)

Bureau of Watershed Management, P. O. Box 8555, Harrisburg, PA 17105-8555.

Updates for Plan Numbers 030:45 and 188:45, Brodhead Creek and McMichaels Creek Watershed Act 167 Stormwater Management Plan Update, as submitted by **Monroe County**, was approved on December 12, 2006.

HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

Proposed Consent Order and Agreement

Trinity North and South Site, Greenville Borough and Hempfield Township, Mercer County

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. § 6020.1113), notice is hereby provided that the Department of Environmental Protection (Department) has entered into an agreement with Trinity Industries, Inc. (Trinity) to remediate the Trinity Greenville North Plant and South Plant (site). The site is located in Greenville Borough and Hempfield Township, Mercer County, PA and consists of two portions of a former industrial facility that historically manufactured railroad cars. The approximate center of the site is located at 41° 24' 4.60" N latitude and 80° 23' 8.18" W longitude on the United States Geological Survey (U.S.G.S.) Greenville West, PA, 7.5 minute topographic quadrangle map.

In the past, hazardous substances, including at least, xylenes, naphthalene and 1,2,4-trimethylbenzene were released and contaminated the environment at the site. Under the terms of the settlement, Trinity will conduct an environmental investigation to fully identify the nature and extent of the release of hazardous substances at the site. Following that investigation, Trinity will propose, for the Department's review and approval, response actions to obtain one or a combination of Cleanup Standards under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—

6026.908. Following Department approval, Trinity will implement its proposed response actions to obtain the proposed Cleanup Standards under Act 2.

The specific terms of this settlement are set forth in the Consent Order and Agreement (Agreement) with Trinity. The Department will receive and consider comments relating to the Agreement for 60 days from the date of this public notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations that indicate that the Agreement is inappropriate, improper or not in the public interest.

After the public comment period, the Department's settlement with Trinity shall be effective upon the date that the Department notifies Trinity, in writing, that this Agreement is final and effective in its present form and that the Department has filed a response to significant written comments to the Agreement, or that no such comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted in writing to James W. Weaver, Project Manager, Department of Environmental Protection, Hazardous Sites Cleanup, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting James W. Weaver at (814) 332-6648. TDD users should contact the Department through the Pennsylvania Relay Service at (800) 645-5984.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

313 Old Mine Road, West Cornwall Township, **Lebanon County**. Alternative Environmental Solutions, 930 Pointview Avenue, Suite B, Ephrata, PA 17522, on behalf of Paul Clifford, 313 Old Mine Road, Mount Gretna, PA 17064, and Elizabeth Werth, c/o Mary Bercheck, 525 South 8th Street, Lebanon, PA 17042 submitted a Final Report concerning soils contaminated with benzene from a removed gasoline underground storage tank. The report is intended to document remediation of the site to the residential Statewide Health Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

U. S. Steel Carrie Furnace Property, Swissvale, Rankin, Whitaker, Munhall and City of Pittsburgh, **Allegheny County**. Michael R. Dowling, KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 (on behalf of Redevelopment Authority of Allegheny County, 425 Sixth Avenue, Suite 800, Pittsburgh, PA 15219) has submitted a Final Report concerning remediation of site soil contaminated with lead, heavy metals and PAHs. Heavy metals also found in groundwater. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Calumet and Former Wolf's Head Refinery South Parcel, Sugar creek Borough, **Venango County**. Rybricon Environmental Consulting Inc. on behalf of Pennzoil-Quaker State dba SOPUS has submitted a Site Characterization and Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with SPL, VOC, SVOC and Inorganic Compounds. The report is intended to document remediation of the site to meet the Site Specific Standards of Act 2.

Long Hallow Creek (P-47), Liberty Township, **McKean County**. PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The report is intended to document remediation of the site to meet the Statewide Health Standard of Act 2.

P.C. Meter & Regulator (P-43), Port Allegany Borough, **McKean County**. PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The report is intended to document remediation of the site to meet the Statewide Health Standard of Act 2.

Scherer Farm Check (P-48) Port Allegany Borough, **McKean County**. PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils

contaminated with small amounts of mercury. The report is intended to document remediation of the site to meet the Statewide Health Standard of Act 2.

Wright Check (P-149), Liberty Township, **McKean County**. PPL Gas Utilities Corp, 2 North 9th Street, Allentown, PA 18101 on their behalf has submitted a Final Report concerning remediation of site soils contaminated with small amounts of mercury. The report is intended to document remediation of the site to meet the Statewide Health Standard of Act 2.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at

the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Kelly Residence Linden Street, Reading City, **Berks County**. Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518, on behalf of Joseph Kelly, 1520 Linden Street, Reading, PA 19601 and Tropical Oil Company, 418-436 Moss Street, Reading, PA 19604, submitted a final report concerning remediation of site soils contaminated with No. 2 heating oil. The final report demonstrated attainment of the residential Statewide Health Standard, and was approved by the Department of Environmental Protection on December 12, 2006.

Estate of Arthur F. Walters, Russ's Auto Repair Shop, Manheim Township, **Lancaster County**. ARM Group, Inc., 1129 West Governor Road, P. O. Box 797, Hershey, PA 17033-0797, on behalf of the Estate of Arthur F. Walters, c/o Vance E. Antonacci, Esquire, Chester and Miller, LLP, 150 North Queen Street, Lancaster, PA 17603, submitted a Final Report concerning remediation of site soils and groundwater contaminated with gasoline from two underground storage tanks removed in 1999. The final report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department of Environmental Protection on December 12, 2006.

Turbine Airfoil Design, City of Harrisburg, **Dauphin County**. Alliance Environmental Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Turbine Airfoil Design, 1400 North Cameron Street, Harrisburg, PA 17103-1095, submitted a Baseline Remedial Investigation Work Plan investigating site soil and groundwater contamination. The plan was approved by the Department of Environmental Protection on December 13, 2006.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Giant Foods, LLC, Lamar Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Giant Foods, LLC, 1604 Industrial Dr., Carlisle, PA 17013 has submitted a Final Report within 90 days of release concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 18, 2006.

Dominion Transmission, Inc—Sabinsville Compressor Station, Clymer Township, **Tioga County**. Groundwater & Environmental Services, Inc., 800 Commonwealth Drive, Suite 201, Warrendale, PA 15086 on behalf of Dominion Resources Services, Inc., 1201 Pitt Street, Pittsburgh, PA 15221 has submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs and metals. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 21, 2006.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Dyna Craft Industries, Inc., Borough of Murrysville, **Westmoreland County**. Joyce M. O'Connor, P. G., Cardinal Resources, Inc., 4326 Northern Pike, Suite 200,

Monroeville, PA 15146 on behalf of Dyna Craft Industries, Inc., c/o Carsem Incorporated, 17700 Castleton, Suite 383, City of Industry, CA 91748 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with trichloroethene. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on December 4, 2006.

Nu-Brite Chemical Company, Haysville Borough **Allegheny County**. Steve McGuire, Veolia Water/NA Water Systems, 250 Airside Drive, Moon Township, PA 15108 on behalf of Andrzej Bernat, Nu-Brite Chemical Company, 2505 Rue de la Metropole, Longueuil, Quebec J4G 1E5 has submitted a Revised Remedial Investigation Report, Risk Assessment Report, Cleanup Plan and a Final Report concerning the remediation of site soil and groundwater contaminated with organic solvents, lead and arsenic. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on November 30, 2006.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits Issued under the Solid Waste Management (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

PAD00738849. Safety Kleen Systems, Inc., 5400 Legacy Dr., Cluster 2, Building 3, Plano, TX 75024, West Goshen Township, **Chester County**. Permit renewed for the continued operation of the West Chester Service Center's hazardous waste storage facility. The renewal permit was issued by the Southeast Regional Office on December 18, 2006.

PAD987266715. Safety Kleen Systems, Inc., 5400 Legacy Dr., Cluster 2, Building 3, Plano, TX 75024, Falls Township, **Bucks County**. Permit renewed for the continued operation of the Fairless Hills Service Center's hazardous waste storage facility. The renewal permit was issued by the Southeast Regional Office on December 18, 2006.

PAD980550594. Sunoco, Inc., 100 Green St, Marcus Hook, PA 19061, Marcus Hook Borough, **Delaware County**. Permit issued for a Class 3 modification to incorporate additional waste streams and other minor facility updates to the Marcus Hook Refinery's hazardous waste container storage permit. Permit was issued by the Southeast Regional Office on December 12, 2006.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Notice Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

Beneficial Use of Coal Ash. 1515 Limited Partners, LP, 1515 Garnet Mine Road, Bethel Township, **Delaware County**. Notice received regarding intent to beneficially use coal ash as structural fill pursuant to 25 Pa. Code

§ 287.661. The notice was acknowledged by the Southeast Regional Office on December 7, 2006.

AIR QUALITY

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Ronald Davis, New Source Review Chief, (717) 705-4702.

06-05094A: Reading Alloys, Inc. (Old West Penn Avenue, P. O. Box 53, Robeson, PA 19551) on December 15, 2006, to install a wet scrubber to control the Crushing and Sizing Operation in Building No. 5 at their facility in South Heidelberg Township, **Berks County**.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Edward Braun, Chief, (215) 685-9476.

AMS 06107: The Children's Hospital of Philadelphia (34th and Civic Center Boulevard, Philadelphia, PA 19104) on December 19, 2006, to install four 800 HP boilers and two 2,080 kW emergency generators in the City of Philadelphia, **Philadelphia County**. The units combined will be limited to 50 tons of NOx emissions per rolling 12-month period. The entire facility will be limited to less than 100 tons of SO₂ and 100 tons of CO emissions per rolling 12-month period. The plan approval will contain monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-0037X: Cabot Supermetals (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on December 15, 2006, to operate a powder packaging unit in Douglass Township, **Montgomery County**.

09-0015F: Rohm and Haas Co. (200 Route 413, P. O. Box 219, Bristol, PA 19007-0219) on December 19, 2006, to operate four boilers in Bristol Township, **Bucks County**.

09-0124B: Fairless Energy, LLC (5000 Dominion Boulevard, Glen Allen, VA 23060) on December 21, 2006, to operate combined cycle combustion turbines in Falls Township, **Bucks County**.

09-0124E: Fairless Energy, LLC (5000 Dominion Boulevard, Glen Allen, VA 23060) on December 15, 2006, to operate a 31.9 mmBtu/hr gas fired preheater in Falls Township, **Bucks County**.

09-0177: North Penn Polishing and Plating, Inc. (40 West Park Avenue, Sellersville, PA 18960) On December 19, 2006, to operate an ultra kool degreaser in Sellersville Borough, **Bucks County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; David Aldenderfer, Program Manager, (570) 327-3637.

18-315-001: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on December 8, 2006, to delete a source, a virgin pulper and associated conditions and to extend the authorization to operate a paper machine (Paper Machine No. 1) and associated equipment on a temporary basis until April 7, 2007, in Castanea Township, **Clinton County**. The plan approval has been extended.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; William Charlton, New Source Review Chief, (412) 442-4174.

32-00375A: Britt Energies, Inc. (2450 Philadelphia Street, Indiana, PA 15701) on December 22, 2006, to install a new coal crusher/screen (rated at 300 tons/hr) powered by a diesel engine (rated at 150 hp) and assorted supporting equipment at the mouth of the Lowry Deep Mine in White Township, **Indiana County**. Plant will be used to crush and screen run-of-mine coal, as well as to blend coal that will be trucked in from outside sources. This is a Plan Approval Extension.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

46-00027: Johnson and Johnson Pharmaceutical Research and Development LLC (Welsh and McKean Roads, Spring House, PA 19477) on December 20, 2006, to renew the Title V Operating Permit in Lower Gwynedd Township, **Montgomery County**. The initial permit was issued on June 27, 2001. A change of ownership was issued on March 30, 2005. The facility is primarily a research and development plant, with various manufacturing equipment, including boilers, emergency generators, laboratory hoods, manufacturing and packaging equipment and a synthesis center. The facility is major for VOCs and NOx emissions. No changes have taken place at this facility that were not previously permitted. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Michael Safko, Facilities Permitting Chief, (570) 826-2531

48-00021: Northampton Generating Company, LP (1 Horwith Drive, Northampton, PA 18067) on November 31, 2006, for a power generating facility in Northampton Borough, **Northampton County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

03-00027: Reliant Energy Northeast Management Co. (121 Champion Way, Canonsburg, PA 15317) on December 18, 2006, to renew their Title V Operating Permit for the Keystone Power Plant in Plumcreek Township, **Armstrong County**. The facility includes two 850-MW steam turbine generators, two oil-fired auxiliary boilers and four oil-fired diesel generators. The facility is subject to Title V requirements because its potential to emit NOx, SOx, CO, PM and HAPs exceeds Title V thresholds.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

15-00042: Southeastern Veterans Center (1 Veterans Drive, Spring City, PA 19475) on December 20, 2006, to operate two boilers, two emergency generators, one chiller and various small natural gas heaters at the care center for retired veterans of war in East Vincent Township, **Chester County**. The permit is for a non-Title V (State-only) facility. The facility has elected to cap NOx to less than 25 tons per year; therefore the facility is a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Mark Wejkszner, New Source Review Chief, (570) 826-2531.

39-00064: Howmet Aluminum Castings (2175 Avenue C, Bethlehem, PA 18017-2119) on November 30, 2006, for an aluminum casting facility in Bethlehem City, **Lehigh County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

26-00472: Assad Iron and Metals, Inc. (P. O. Box 76, Brownsville, PA 15417) on December 14, 2006, for operation of two aluminum sweat furnaces, a rotary dryer and a torch cutting operation, all including their associated air pollution control devices for their facility in Jefferson Township, **Fayette County**.

65-00858: Commonwealth Renewable Energy, Inc. (777 Technology Drive, Mt. Pleasant, PA, 15666-2715) on December 14, 2006 in East Huntingdon Township, **Westmoreland County**. Emission sources at this facility include two hot water boilers, miscellaneous combustion sources and an emergency generating engine.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401; Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

46-00047: Mueller Streamline Company—Precision Tube Co. (287 Wissahickon Avenue, North Wales, PA 19454) on December 20, 2006, to operate a Title V manufacturing plant in North Wales, **Montgomery County**. The Title V Facility's major emission points include a general cleaning and degreasing unit, two batch vapor solvent degreasers, two annealing furnaces, each with a CO atmosphere generator, boilers, numerous space heaters, two emergency generators and a dryer, which emit major levels of VOCs. Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment contains testing, monitoring and recordkeeping conditions to address carbon monoxide emissions associated with Source ID 702 and Source ID

703. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

23-00056: Honeywell International, Inc. (6100 Philadelphia Pike, Claymont, DE 19703) on December 20, 2006, to incorporate changes approved under Plan Approval PA-23-00056 for Fluorosulfonic Acid Manufacturing Process in Marcus Hook Borough, **Delaware County** for an administrative amendment to State-only Operating Permit 23-00056. The amended State-only Operating Permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

09-00087: Air Products and Chemicals, Inc. (351 Philadelphia Avenue, Morrisville, PA 19067) on December 20, 2006, to operate an industrial gas processing facility in Falls Township, **Bucks County**. This amendment is to incorporate Plan Approval 09-0087D into the facility permit. Administrative Amendment of State-only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Ronald Davis, New Source Review Chief, (717) 705-4702.

22-05044: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104-1645) on December 15, 2006, to operate a stone crushing plant and a concrete plant at the Hummelstown Quarry in South Hanover Township, **Dauphin County**. This operating permit was administratively amended to incorporate a recordkeeping condition for maintaining a 12 month rolling total for emissions of certain pollutants from the asphalt plant and a combined total of the asphalt plant and crushing operation which was omitted. This is revision No. 1.

29-03007: Mellott Wood Preserving Co., Inc. (1398 Sawmill Road, P. O. Box 209, Needmore, PA 17238-0209) on December 18, 2006, to renew the State-only operating permit for their wood-fired boilers located at their facility in Belfast Township, **Fulton County**. This operating permit was administratively amended to incorporate Plan Approval 29-03007A. This is revision No. 1.

36-03021: J. Walter Miller Co. (411 East Chestnut Street, Lancaster, PA 17602-3016) on December 18, 2006, to operate their foundry in the City of Lancaster, **Lancaster County**. This operating permit was administratively amended to incorporate Plan Approval 36-03021A. This is revision No. 1.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Eric Gustafson, Facilities Permitting Chief, (814) 332-6940.

42-00004: American Refining Group, Inc. (77 North Kendall Avenue, Bradford, PA 16701) on December 15, 2006, the Department modified Title V Operating Permit Number 42-004 in the City of Bradford, **McKean County**. This modification is to incorporate synthetic minor emission limits for three date eligible sources, so that the facility will fall under the Best Available Retrofit Technology applicability threshold. The combined NOx, PM10 and SOx emissions from Source ID: 033-Boiler No. 3, Source ID: 034-Boiler No. 4 and Source ID: C301-Refinery Gas Flare, have been limited to no more than 250 tons per year for each pollutant.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

Permit No. 56860104 and NPDES No. PA0597601. Action Mining, Inc. (1117 Shaw Mines Road, Meyersdale, PA 15552-7228). Permit renewal for reclamation only of a bituminous surface mine and maintain passive water treatment in Brothersvalley and Summit Townships, **Somerset County**, affecting 507 acres. Receiving streams: UNT to/and Blue Lick Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 30, 2006. Permit issued: December 18, 2006.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17030102 and NPDES No. PA0243426. River Hill Coal Company, Inc. (P. O. Box 141, Kylertown, PA 16847). Commencement, operation and restoration of a bituminous surface mine in Decatur Township, **Clearfield County**, affecting 104.0 acres. Receiving streams: UNTs to Little Laurel Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 24, 2003. Permit issued: December 13, 2006.

17010111 and NPDES No. PA0243141. W. Ruskin Dressler (Box 39, Rockton, PA 15856). Permit renewal for reclamation only of a bituminous surface mine in Brady Township, **Clearfield County**, affecting 58.7 acres. Receiving streams: East Branch of Mahoning Creek and Beech Run to the West Branch of the Susquehanna River. There are no potable water supply intakes within 10 miles downstream. Application received: December 11, 2006. Permit renewal issued: December 12, 2006.

17060103 and NPDES No. PA0256340. Waroquier Coal Co. (P. O. Box 128, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine in Goshen Township, **Clearfield County**, affecting 17.5 acres. Receiving streams: UNT to Bloody Run and UNT to Trout Run, classified for the following uses: CWF, HQF. There are no potable water supply intakes within 10 miles downstream. Application received: April 10, 2006. Permit issued: December 13, 2006.

17060111 and NPDES No. PA0256439. Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651). Commencement, operation and restoration of a bituminous surface mine in Bigler and Gulich Townships, **Clearfield County**, affecting 361.0 acres. Receiving streams: UNT to Little Muddy Run and Muddy Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 4, 2006. Application returned: December 18, 2006.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (73 P.S. §§ 151–161) and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

28064182. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201-9655). Blasting activity permit issued for chicken barn development in Washington Township, **Franklin County**. Blasting activity permit end date is June 8, 2009. Permit issued: December 12, 2006.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.

06064145. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507). Construction blasting for Stone Croft Village in Marion Township, **Berks County** with an expiration date of December 31, 2007. Permit issued: December 15, 2006.

06064146. Warren's Excavating & Drilling, Inc. (P. O. Box 189, Bowmansville, PA 17507). Construction blasting for Stone Croft Village in Marion Township, **Berks County** with an expiration date of December 15, 2007. Permit issued: December 15, 2006.

360641122. Keystone Blasting Service (381 Reifsnyder Road, Lititz, PA 17543). Construction blasting for a single dwelling in East Lampeter Township, **Lancaster County** with an expiration date of December 30, 2006. Permit issued: December 15, 2006.

09064136. Rock Work, Inc. (1257 DeKalb Pike, Blue Bell, PA 19422). Construction blasting for the Thompson Tract in Bedminster Township, **Bucks County** with an expiration date of January 1, 2008. Permit issued: December 18, 2006.

52064133. Ed Wean Drilling & Blasting, Inc. (112 Ravine Road, Stewartsville, NJ 08886). Construction blasting for a single dwelling in Penn Wood III in Palmyra Township, **Pike County** with an expiration date of December 13, 2007. Permit issued: December 18, 2006.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the con-

struction and operation described will comply with the applicable provisions of sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 §§ 691.1–691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

E17-424. Department of Transportation, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830. Water Obstruction and Encroachment Joint Permit Application in Morris Township, **Clearfield County**, ACOE Susquehanna River Basin District (Philipsburg, PA Quadrangle N: 10.1 inches; W: 10.4 inches).

To remove five existing 36-inch diameter culverts and construct and maintain a concrete box culvert with a span of 21.0 feet and an underclearance of 4.0 feet on a skew of 90° over Hawk Run (CWF). The project is located along SR 1009, Segment 30, Offset 1577, in Morris Township, Clearfield County. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E10-414, Bobbie Mikita, 501 Rollingridge Drive Suite 200, State College, PA 16801. Brookstone Residential

Development, in Adams Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 17.6 inches; W: 4.6 inches).

To fill 0.65 acres of Scrub-Shrub wetlands and 1,111 feet of a UNT to Breakneck Creek (WWF) during construction of the Brookstone Residential Subdivision along Forsythe Road located approximately 0.25 miles south of the intersection of Forsythe and Myoma Roads.

The permittee is required to provide 0.65 acres of replacement wetlands.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.

D65-108EA Tim Grantz, Chairperson Borough, of West Leechburg 1015 Plaza Street, West Leechburg, PA 15656, West Leechburg Borough, **Westmoreland County**, ACOE Pittsburgh District.

Project proposes to breach and remove West Leechburg Reservoir across Penn Run (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,500 linear feet of stream channel. The dam is located approximately 1,000 feet north of the intersection of Sixth Street and Main Street. (Leechburg, PA Quadrangle N: 2.7 inches; W: 16.3 inches).

D36-003EA. Green Hill Sportsmens Association, 6111 River Road, P. O. Box 68, Conestoga, PA 17516, Conestoga Township, ACOE Baltimore District.

Project proposes to repair and maintain Green Hill Sportsmens Association Dam located across a tributary to Little Conestoga Creek (WWF) for recreational purposes. The project involves repairing a partially breached section of the dam, dredging the impoundment, modifying and dredging the East Sediment Basin and constructing a sediment basin at the North end of the Pond. The project will involve the filling of approximately 0.014 acre of open water and dredging approximately 0.56 acre of accumulated silts and sediments. The dam is located approximately 2,000 feet northeast of the intersection of Spring Run Road (T432) and River Road (T440) (Conestoga, West, PA Quadrangle, N: 9.5", W: 15.9").

SPECIAL NOTICES

Intent to Reissue Pennsylvania General NPDES Permit for Wastewater Discharges from Stripper Oil Well Facilities

(PAG310001)

In compliance with the provisions of the Federal Clean Water Act, The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice announces its intent to review and reissue the Pennsylvania General NPDES Permit for Discharges from Stripper Oil Well Facilities (PAG310001) for a 5-year period. The general permit was initially issued on October 4, 1991, renewed on October 4, 1996, and October 19, 2001. The current general permit is valid until revised and issued in final after reviewing and addressing comments from this public notice.

The Department has reviewed and updated the general permit and related documents. The changes include minor editorial changes. A pollution prevention permit condition was added that requires the operator to minimize the amount of produced water being generated while operating the oil wells.

The documents can also be obtained by writing or contacting the Division of Surface Activities, Bureau of Oil and Gas Management, Rachel Carson State Office Building, 5th Floor, Harrisburg, PA 17105-8765, (717) 772-2199, fax: (717) 772-2291.

By this notice, the Department is requesting public comments on the proposed permit documents. Comments must be received no later than 30 days from the date of this notice. Written comments and suggestions on the proposed documents can also be sent to Melissa Hamsher at the address previously noted or mhamsher@state.pa.us.

Persons with a disability with questions regarding the general permit or seeking information about the general permit or copy of the general permit and associated materials may use the AT&T Relay Service by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (voice users).

Following the comment period, the Department will consider all comments received and prepare the final set of permit documents. The final availability of the documents will be announced through a public notice in the *Pennsylvania Bulletin*.

Request for Comment and Notice of Public Meeting for the Proposed Total Maximum Daily Load (TMDL) for the Coon Run Watershed in Crawford County

The Department of Environmental Protection (Department) will hold a public meeting to discuss and accept comments on a proposed TMDL for the Coon Run watershed in Crawford County. The meeting will be held on February 1, 2007, beginning at 9 a.m. at the Northwest Regional Office in Meadville, Crawford County, PA. Individuals who wish to make a presentation should contact Erin Stuart, Northwest Regional Office at (814) 332-6984 no later than 4 p.m. on January 25, 2007. The Department will consider all comments in developing the final TMDL for the Coon Run Watershed, which will be submitted to the Environmental Protection Agency for approval.

The proposed TMDL for the Coon Run Watershed was established in accordance with the requirements of section 303(d) of the Clean Water Act. One stream segment in the Coon Run Watershed has been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals. The listed segments and miles degraded are shown in the following table:

<i>Stream Code (seg ID)</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
54551 (7751)	Coon Run	2.52

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron, manganese and acidity), pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/ Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	30 day average; Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is metals impairments caused by nonpoint source pollution.

The proposed TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a data set based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the proposed TMDL. The proposed TMDL for the Coon Run watershed sets allowable loading rates for metals and acidity at specified points in the watershed. Field data collected during 2006 were used to develop the TMDL. The data and all supporting information used to develop the proposed TMDL are available from the Department.

The Department will accept written comments on the proposed TMDL for the Coon Run Watershed. Written comments must be postmarked by March 6, 2007, and sent to Erin Stuart, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, fax (814) 332-6117, or estuart@state.pa.us.

To request a copy of the proposed TMDL and an information sheet or to obtain directions to the meeting location, contact Erin Stuart at (814) 332-6984, estuart@state.pa.us.

The proposed TMDL for the Coon Run watershed can be accessed through the Department's website at www.dep.state.pa.us (DEP Keyword: TMDL). Persons with a disability who require accommodations to attend this meeting should contact the Department at (814) 472-1900 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 07-14. Filed for public inspection January 5, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Intent to Request Release of Funds

On or about January 15, 2007, the Department of Health (Department) will submit a request to the United States Department of Housing and Urban Development (HUD) for the release of Lead-Based Paint Hazard Control Grant Program funds for the following program/project: Lead Hazard Control Program for the purpose of assisting income-eligible occupants in receiving lead hazard control on owner-occupied and rental units with a priority on units occupied by families with children under 6 years of age. The Department is requesting the release of \$3 million in Federal assistance and \$979,959 in matching contributions for the period of performance of November 1, 2006, through October 31, 2009.

The proposed hazard control activities to be funded under this program is categorically excluded from the National Environmental Policy Act requirements but subject to compliance with some of the environmental laws and authorities listed at section 58.5 of 24 CFR Part 58. In accordance with section 58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed and studied for the intended target areas listed previously. Other applicable environmental laws and authorities will be complied with when individual projects are ripe for review. Specifically, the target areas have been studied and compliance with the following laws and authorities has been established in this first tier: Floodplain Management, Coastal Barriers Resource Act, Coastal Zone Management Act. Compliance with the following environmental laws and authorities will take place for proposed projects funded under the programs listed previously: Historic Preservation, National Flood Insurance Program requirements, Explosive and Flammable Operations, toxics/hazardous materials. Should individual aggregate projects exceed the threshold for categorical exclusion detailed at section 58.35(a), an Environmental Assessment will be completed and a separate Finding of No Significant Impact and Request For Release of Funds published. Copies of the compliance documentation worksheets are available at the following address.

An Environmental Review Record (ERR) that documents the environmental determinations for this project and more fully describes the tiered review process cited previously is on file at Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor, East Wing, 7th and Forster Streets, Harrisburg, PA 17120 and may be examined or copied weekdays from 9 a.m. to 5 p.m.

Public Comments

Any individual, group or agency may submit written comments on the ERR to the Department. Comments received by January 12, 2007, will be considered by the Department prior to authorizing submission of a Request for Release of Funds and Certification to HUD.

Release of Funds

The Department certifies to HUD that Terri A. Matio, in her official capacity as Director, Bureau of Administrative and Financial Services, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Department to utilize Federal funds and implement the Program.

Objections to Release of Funds

HUD will consider objections to its release of funds and the Department certification for a period of 15 days following either the anticipated submission date (cited previously) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the certification was not executed by the certifying officer of the Department; (b) the Department has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the Department has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (d) another Federal agency acting under 40 CFR Part 1504 has submitted a written finding that the project is unsatisfac-

tory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to HUD as follows: United States Department of Housing and Urban Development, Ed Thomas, Environmental Clearance Officer, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3380. Potential objectors may contact HUD at (215) 656-0500 to verify the actual last day of the objection period.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape, Braille) or who wish to comment in an alternative format and seek assistance to do so should contact Faith Blough or Cynthia Dundas, Public Health Program Administrators, at the address listed previously, (717) 772-2762 or for speech and/or hearing impaired persons, V/TT (717) 783-6514.

OHHLHC Programs Requiring A RROF (as applicable)

- *Lead-Based Paint Hazard Control Grant Program*, authorized by Sec. 1011 of the Housing and Community Development Act of 1992, Pub. L. No. 102-550, and funded through the Consolidated Appropriations Act of 2006, Pub. L. No. 108-477

- *Lead Hazard Reduction Demonstration Grant Program*, authorized by Sec. 1011 of the Housing and Community Development Act of 1992, Pub. L. No. 102-550, and funded through the Consolidated Appropriations Act of 2006, Pub. L. No. 108-477

- *Healthy Homes Demonstration Grant Program*, with funding authorized by the Consolidated Appropriations Act of 2006, Pub. L. No. 108-477

- *Operation Lead Elimination Action Program*, with funding authorized by the Consolidated Appropriations Act of 2006, Pub. L. No. 108-477

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-15. Filed for public inspection January 5, 2007, 9:00 a.m.]

Notice to Public of Action Located Within Floodplain

A notice was published at 36 Pa.B. 7691 (December 16, 2006) inviting participation in the floodplain management decisionmaking process. Persons were invited to comment on the program being proposed by the Department of Health (Department).

Program: Lead Hazard Control Program, Grant No. PALHB0338-06, \$3 million award, Period of Performance: November 1, 2006—October 31, 2009.

Purpose: Funds will be used to provide assistance to income-eligible occupants to make units, which includes privately owned rental units as well as owner-occupied units, lead safe, with a priority on units occupied by families with children under age six. Units will be made lead-safe through lead inspections, risk assessments and lead hazard control, including temporary relocation during hazard control work. Lead hazard control work will be completed through the use of interim controls and/or hazard abatement.

Location: The legal boundaries of the target areas are within the city limits of Johnstown, Harrisburg and the County of Fayette.

The Department completed an evaluation concerning potential impacts on the floodplain and possible alternative actions. The proposed program could involve projects located within a 100-year floodplain. The conclusion was that there is no practicable alternative to the possibility of potential projects being located within the following Flood Zones 4203800001A, 4203800002A, 4202310005C, 4202310010C, 4204580001C, 4216210001B, 4204570001C, 42116220001-0015, 4216230001-0010, 4204600001B, 4204610001B, 4216240001-0020, 4204620001C, 4204630001B, 4204640001C, 4216250001-0020, 4216260001-0030, 4216270006C, 4216270007C, 4216270008C, 4216280001-0004, 4216290001-0010, 4216300005A, 4216310001-0009, 422606A, 42225720001B, 4216320001-0007, 4204650001B, 422400010B, 4216330001-0025, 421615A, 4216340001-0008, 4216160001B, 426170001B, 4216350001-0006, 4216360001-0035, H01-02, 4216370001-0010, 4216380001-0035, 4216390010C, 4216390015C, 4216400001-0004, 4204670005B, Map H, 4216410001-0004, and 4216420001-0006. It has been determined that the program must occur within the intended target area/areas, as described.

The alternatives considered included: 1) Funding the proposed program in other areas of the jurisdiction; 2) relocation of housing units and families; 3) no action.

These alternatives were rejected for the following reasons: 1) the greatest need for the intended program was found to be in the designated target area/areas and those units/families in need of the housing services exist in all areas of the target area/areas; 2) it is cost prohibitive and not feasible to physically move or raise structures out of the floodplain; 3) a no action alternative would certainly not serve to maintain affordable, safe (from lead-based paint hazards) housing for families.

To minimize risk and potential loss (to life, health and financial investment), owners and tenants will be notified that their units are located in the floodplain and flood insurance will be a required contingency to participation in the grant program. The amount and period of coverage will conform to the National Flood Insurance Program requirements.

An Environmental Review Record (ERR) respecting the subject program has been made by the previously named jurisdiction which documents floodplain information and contains a full description of the proposed actions. The ERR is on file at the address listed previously and is available for public examination and copying upon request between 9 a.m. and 4 p.m.

Final approval of the Lead-Based Paint Hazard Control Program will not be made until/unless interested groups, individuals or agencies have had an opportunity to comment. Comments will be accepted by Faith Blough or Cynthia Dundas, Department of Health, Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor, East Wing, 7th and Forster Streets, Harrisburg, PA 17120 until January 12, 2007.

Information regarding the United States Department of Housing and Urban Development's regulations concerning floodplain management may be obtained by contacting: Edward Thomas, Environmental Clearance Officer, U.S. Department of HUD, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3380, (215) 656-0500, ext. 3223 (this is not a toll-free number).

Persons with a disability who require an alternative format of this document (for example, large print,

audiotape, Braille) or who wish to comment in an alternative format and seek assistance to do so should contact Faith Blough or Cynthia Dundas, Public Health Program Administrators, at the address listed previously (717) 772-2762 or for speech and/or hearing impaired persons, V/TT (717) 783-6514.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-16. Filed for public inspection January 5, 2007, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Majestic Jewels Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of a temporary withdrawal of the instant lottery game Pennsylvania Majestic Jewels published at 36 Pa.B. 7774 (December 16, 2006). Notice of the Pennsylvania Majestic Jewels instant lottery game will be published in the future.

GREGORY C. FAJT,
Secretary

[Pa.B. Doc. No. 07-17. Filed for public inspection January 5, 2007, 9:00 a.m.]

Pennsylvania mix & match Terminal-Based Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 875.4 (relating to notice of terminal-based lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following terminal-based lottery game:

1. *Name:* The name of the terminal-based lottery game is Pennsylvania mix & match. The game will commence at the discretion of the Secretary, and will continue until the Secretary publicly announces a suspension or termination date.

2. *Price:* The price of a Pennsylvania mix & match ticket is \$2 per game or play. Additional games or plays may be purchased at the discretion of the player. A ticket will contain one game or play.

3. *Description of the Pennsylvania mix & match lottery game:*

(a) Pennsylvania mix & match is designed to give players the opportunity to win up to two prizes in each game or play.

(b) For a \$2 purchase, the player gets a ticket containing five different numbers ranging from 1 to 19. Players can win one or two prizes by matching winning numbers randomly selected by the Lottery twice a week or as determined and publicly announced by the Secretary.

(1) Correctly matching one or more of the five winning numbers randomly selected by the Lottery, with the matching numbers appearing on the ticket in the same

position in which they were selected by the Lottery, and meeting all other validation criteria, entitles the ticket holder to a prize identified in Section 6(a) (relating to prizes available to be won and determination of prize winners).

(2) Correctly matching three or more of the five winning numbers randomly selected by the Lottery, the matching numbers appearing on the ticket in any position, and meeting all other validation criteria, entitles the ticket holder to a prize identified in Section 6(b) (relating to prizes available to be won and determination of prize winners).

4. *Pennsylvania mix & match bet slip and ticket characteristics:*

(a) To purchase a ticket, the player shall remit to an on-line retailer the purchase price, submit the completed Pennsylvania mix & match bet slip or request the number selection through quick pick or manual terminal entry. The ticket shall consist of one game or play containing one five-number selection, which five numbers shall appear on the ticket in the same order in which they were submitted, requested or selected using the quick pick option. The numbers appearing on the ticket shall be ordered as follows: the first number under the P1 header; the second number under the P2 header; the third number under the P3 header; the fourth number under the P4 header; and the fifth number under the P5 header. The ticket will also contain the drawing date, amount bet, and validation number data. This ticket shall be the only valid proof of the bet placed, and the only valid receipt for claiming a prize. The ticket shall only be valid for the drawing date printed on the ticket.

(b) Pennsylvania mix & match bet slips shall be available at no cost to the player. The minimum wager is \$2. For \$2, play game A; for \$4, play games A and B; for \$6, play games A, B, and C; for \$8, play games A, B, C and D, in accordance with the instructions printed on the Pennsylvania mix & match bet slip. A Pennsylvania mix & match bet slip has no pecuniary or prize value and does not constitute evidence of the purchase of a ticket or the numbers selected.

(c) If Pennsylvania mix & match bet slips are unavailable, number selections may be given to an on-line retailer in groups of five-number selections, for each game or play and for each \$2 wagered. The retailer shall manually enter the selections into the Lottery terminal in the same order in which they were requested.

(d) A player may also request number selection using the quick pick option by indication on the bet slip or making the request to an on-line retailer.

5. *Time, place and manner of conducting drawings.*

(a) *Time of drawing.* A Pennsylvania mix & match drawing will be held twice a week or as determined and publicly announced by the Secretary.

(b) *Place of drawing.* A Pennsylvania mix & match drawing will be conducted in the Harrisburg, Pennsylvania area unless the Secretary directs that a drawing or part of the drawing procedure be conducted at some other location.

(c) *Manner of conducting drawings.* The Lottery will select, at random, five numbers from 1 through 19, with the aid of mechanical devices or any other selection methodology as authorized by the Secretary. The five numbers selected and the order of their selection will be used in determining winners for each individual drawing. The validity of a drawing will be determined solely by the Lottery.

6. *Prizes available to be won and determination of prize winners:*

(a) Determination of Pennsylvania mix & match prize winners for tickets correctly matching the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery are:

(1) Holders of tickets upon which the player's five numbers match the five winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery, shall be the winner of the jackpot category prize.

(i) The minimum jackpot category prize will be \$50,000 divided equally by the number of tickets determined by the Lottery to be entitled to claim a jackpot category prize. The Lottery will estimate and announce the projected amount of the upcoming jackpot prior to the drawing. Payment will be made in the amount estimated and announced as the projected jackpot, or in the actual amount of the jackpot, whichever is greater, divided equally by the number of plays on tickets determined by the Lottery to be entitled to claim a jackpot category prize.

(ii) Prize money allocated to the jackpot category will be paid on a pari-mutuel basis. If more than one winning jackpot prize play is determined, each, upon meeting the requirements of 61 Pa. Code §§ 875.10 and 875.11 (relating to terminal-based lottery game ticket validation and requirements; and procedures for claiming and payment of prizes), is entitled to a prorated payment share of the total jackpot prize category.

(iii) If, in a Pennsylvania mix & match drawing, there are no winning jackpot prize plays, prize money allocated to that prize category will be carried forward and added to the amount allocated for the jackpot prize category money in the next Pennsylvania mix & match drawing (4.5% of sales).

(2) Holders of tickets upon which four of the player's numbers match four of the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery, shall be entitled to a prize of \$1,000.

(3) Holders of tickets upon which three of the player's numbers match three of the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery, shall be entitled to a prize of \$100.

(4) Holders of tickets upon which two of the player's numbers match two of the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by the Lottery, shall be entitled to a prize of \$4.

(5) Holders of tickets upon which one of the player's numbers matches one of the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in the same position in which they were selected by

the Lottery, shall be entitled to a prize of one Pennsylvania mix & match game play for an upcoming game drawing. The prize of a free ticket cannot be redeemed for cash.

(b) Determination of Pennsylvania mix & match prize winners for tickets correctly matching the winning numbers selected by the Lottery, with the matching numbers appearing on the ticket in any order, is as follows:

(1) Holders of tickets upon which all five of the player's numbers match the five winning numbers selected by the Lottery, shall be entitled to a prize of \$2,000.

(2) Holders of tickets upon which four of the player's numbers match four of the winning numbers selected by the Lottery, shall be entitled to a prize of \$20.

(3) Holders of tickets upon which three of the player's numbers match three of the winning numbers selected by the Lottery, shall be entitled to a prize of \$2.

(c) All Pennsylvania mix & match cash prize payments, including the jackpot prize, will be made as a one-time, lump-sum cash payment.

(d) The Pennsylvania mix & match free ticket prize may be claimed through a licensed on-line retailer or by filing a claim directly with the Lottery.

(1) A free ticket issued by a licensed on-line retailer representing a claimed free ticket prize, will be valid only for the next Pennsylvania mix & match game drawing scheduled after the free ticket prize has been redeemed by the retailer.

(2) A unique serialized single-use barcode coupon redeemable for one quick pick Pennsylvania mix & match ticket will be issued by the Lottery for a mix & match game ticket prize claimed directly through the Lottery. The serialized barcode coupon will be valid for 1 year from the date of issue or the final drawing of mix & match game as announced by the Secretary, whichever occurs sooner, and may be redeemed through any licensed on-line retailer. The resulting Pennsylvania mix & match ticket issued will be valid only for the next Pennsylvania mix & match drawing scheduled.

(e) A winning Pennsylvania mix & match ticket is entitled only to the highest prize won by those numbers appearing on the ticket in the same position in which they were selected by the Lottery, plus the highest prize won by those numbers appearing on the ticket in any position.

(f) The number of prize categories, the allocation of prize money among the prize categories, and the minimum jackpot category amount may be changed at the discretion of the Secretary and the change will be announced by public notice. The changes will only apply prospectively to Pennsylvania mix & match drawings as of the date specified in the public notice.

7. *Probability of winning.* The following table sets forth all possible ways that a prize or combination of prizes can be won on a single ticket; corresponding prize or prizes won and probability of winning each prize or combination of prizes:

<i>Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing On The Ticket In The Same Position Drawn</i>	<i>Tickets Containing The Number Of Winning Numbers Designated Below, With The Matching Numbers Appearing In Any Position</i>	<i>Prize Or Combination Of Prizes That Can Be Won By Matching Numbers In The Same Position + Matching Numbers In Any Position</i>	<i>Probability Of Winning Each Prize Or Combination Of Prizes Per Ticket</i>
5	5	Jackpot + \$2,000	1:1,395,360
3	5	\$100 + \$2,000	1:139,536
2	5	\$4 + \$2,000	1:69,768
1	5	Free Ticket + \$2,000	1:31,008
0	5	\$0 + \$2,000	1:31,712.73
4	4	\$1,000 + \$20	1:19,933.71
3	4	\$100 + \$20	1:4,983.43
2	4	\$4 + \$20	1:1,107.43
1	4	Free Ticket + \$20	1:453.04
0	4	\$0 + \$20	1:376.11
3	3	\$100 + \$2	1:766.68
2	3	\$4 + \$2	1:127.78
1	3	Free Ticket + \$2	1:36.51
0	3	\$0 + \$2	1:23.96
2	2	\$4 + \$0	1:63.89
1	2	Free Ticket + \$0	1:10.65
1	1	Free Ticket + \$0	1:11.62

8. Retailer Incentive and Marketing Promotion Programs.

(a) The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania mix & match lottery tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

(b) Retailer Incentive and Marketing Promotion Programs, including the use of unfunded free tickets, may be implemented at the discretion of the Secretary. If needed, funds for the programs, including the payment of prizes resulting from the programs, will be drawn from the Lottery Fund.

9. Unclaimed Prize Money. For a period of 1 year from the announced close of Pennsylvania mix & match game, prize money from winning Pennsylvania mix & match lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the anniversary date of the drawing in which the ticket or chance was entered, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. Governing Law. In purchasing a ticket, the player agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

GREGORY C. FAJT
Secretary

[Pa.B. Doc. No. 07-18. Filed for public inspection January 5, 2007, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The Health Care Cost Containment Council has scheduled the following meetings: Wednesday, January 10, 2007, Data Systems Committee Meeting—10 a.m., Education Committee Meeting—1 p.m.; Thursday, January 11, 2007, Council Meeting—10 a.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101 or call (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 07-19. Filed for public inspection January 5, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these

comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of

the close of the public comment period or it will be deemed withdrawn.

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-4618	State Board of Dentistry Sexual Misconduct 36 Pa.B. 6409 (October 21, 2006)	11/20/06	12/20/06
10-182	Department of Health Sexual Assault Victim Emergency Services 36 Pa.B. 6403 (October 21, 2006)	11/20/06	12/20/06

**State Board of Dentistry Regulation #16A-4618
(IRRC #2573)**

Sexual Misconduct

December 20, 2006

We submit for your consideration the following comments on the proposed rulemaking published in the October 21, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Dentistry (Board) to respond to all comments received from us or any other source.

Section 33.211a. Sexual misconduct.—Protection of the public health and safety; Reasonableness; Clarity.

We have four concerns with the regulation.

First, this section should not include both definitions and substantive regulatory provisions. In order to be consistent with the regulatory framework in Chapter 33, the Board should create two separate sections or move the definitions to Section 33.1 (relating to Definitions).

Second, the definition of "Sexual misconduct" contains two variations of the same word. "Sexual misconduct" is defined as "sexual conduct." For clarity, we suggest that the body of the definition be revised to refer to actions of a sexual nature or sexual behavior instead of sexual conduct.

Third, the term "practitioner" is used throughout this regulation instead of "board regulated practitioner" as defined in 49 Pa. Code § 33.1 (relating to Definitions). We recommend that the Board use the defined term in the final-form regulation.

Finally, we question whether these provisions apply to "auxiliary personnel." We note that "auxiliary personnel" are included under the definition of "board regulated practitioner." The final-form regulation should clearly indicate whether "auxiliary personnel" must comply with this regulation. If the Board intends to exclude "auxiliary personnel," it needs to explain how excluding these practitioners protects the public health and safety.

**Department of Health Regulation #10-182
(IRRC #2577)**

**Sexual Assault Victim Emergency Services
December 20, 2006**

We submit for your consideration the following comments on the proposed rulemaking published in the October 21, 2006 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Health (Department) to respond to all comments received from us or any other source.

1. Information provided by a hospital to a sexual assault victim.—Protection of the public health, safety and welfare; Reasonableness; Implementation procedures; Clarity.

Several different subsections of the regulation require a hospital to provide information to sexual assault victims. Commentators suggested that the Department either provide or approve the information that is disseminated to victims. The commentators note that this would ensure that the information provides accurate and consistent information to all sexual assault victims. We believe this suggestion would further protect the health, safety and welfare of sexual assault victims and recommend that the Department incorporate it in the final-form regulation. In addition, the informational provisions should be unified into one or two sections of the regulation. Subsections that require hospitals to provide information to sexual assault victims and hospital personnel are:

- § 117.52(a)(2),
- § 117.52(a)(3),
- § 117.52(a)(6), and
- § 117.52 (a)(7),
- § 117.53(a)(1),
- § 117.53(a)(2).
- § 117.55,
- § 117.58(b)(1),

2. Section 101.4. Definitions.—Consistency with other statutes; Reasonableness; Clarity.

Sexual assault

The intent of this definition is unclear. As set forth in this proposed regulation, the definition of this term reads: "An offense specified in 18 Pa.C.S. Chapter 31, Subchapter B (relating to definition of offenses)." The term "sexual assault" is defined in Section 3124.1 of

Subchapter B (18 Pa.C.S.A. §§ 3121—3129). However, Subchapter B includes definitions for several other related terms including “rape, aggravated indecent assault, statutory sexual assault, involuntary deviate sexual intercourse, indecent assault, and indecent exposure.” Since the definition of “sexual assault” in this section refers to all of Subchapter B in Title 18, it is not clear whether it is referencing just the definition of “sexual assault” at 18 Pa.C.S.A. § 3124.1, or if the intent is to include all the other terms defined in Subchapter B. The Department needs to explain its intent and identify the types of crime that will be covered by this proposed regulation.

Sexual assault counselor

This definition identifies a “sexual assault counselor” as someone “who has undergone at least 40 hours of sexual assault training.” Should this be described as “training in counseling sexual assault victims”? What is the basis for the minimum of 40 hours of training? How is completion of this training to be certified or documented? In addition, the Pennsylvania State Nurses Association suggested changing the last word of this definition from “assault” to “crimes.” Depending on how the Department responds to questions concerning its definition of “sexual assault,” it may want to consider adopting this suggestion.

Sexual assault victim or victim

This definition raises a similar question concerning the Department’s definition of “sexual assault.” Depending on its response to questions on the definition of “sexual assault,” the Department may want to consider revising this definition to include a victim of sex crimes rather than “a person who has been sexually assaulted.”

3. Section 117.52. Minimum requirements for sexual assault emergency services.—Fiscal impact; Protection of the public health, safety and welfare; Reasonableness; Implementation procedures; Clarity.

Subsection (a) Medical exams, tests and information

This subsection includes a list of things that hospitals are to “promptly” provide to a sexual assault victim. This list of items is primarily tests, examinations, information, and medications related to sexually transmitted diseases (STDs). One commentator, the Ambulance Association of Pennsylvania (AAP), expressed concerns over victims who may also have severe physical injuries. This subsection appears to focus on issues related to STDs and unwanted pregnancies. How are these requirements to be balanced with a need for acute care when a hospital is treating a victim who exhibits severe, perhaps life-threatening, injuries and trauma resulting from a violent physical attack?

Subsection (a)(1) Evidence in a criminal proceeding

Commentators from the Sexual Assault Response Team of Allegheny County and Forensic Graduate Program in the School of Nursing at Duquesne University expressed concerns with staffing in emergency departments in hospitals or medical centers. They recommended that hospitals hire certified Sexual Assault Nurse Examiners (SANE). In addition, one of the commentators indicated that the regulation should set forth specific standards and procedures for the collection of evidence or include the requirement that hospitals supply sexual assault evidence collection kits to emergency rooms. We agree.

Subsection (b) Maintenance of records

This subsection requires hospitals to maintain records pertaining to the results of examinations, tests and services provided to a sexual assault victim. It also

requires the hospital to make those records available to law enforcement officials upon the request and with the consent of the victim. We have several questions.

First, Pennsylvania National Organization for Women, Inc., (PA NOW) noted that victims and SANEs may be reluctant to perform a full risk assessment for fear that the results could be used against the victim in a court of law. PA NOW also commented that the information pertaining to a victim’s past sexual history gathered by hospital staff when they provide sexual assault emergency services is confidential under the “Rape Shield Law” (18 Pa.C.S.A. § 3104(a)). Would the information gathered via the risk assessment required by Section 117.54, relating to the prevention of STDs, be included in the records kept by the hospital? Who would have access? Would consent of the victim be required before assessments were released to law enforcement agencies? The policy and procedures for protecting confidentiality and controlling release of this information should be clearly stated in the final-form regulation.

Second, how long will a hospital have to maintain the records? The final-form regulation should include a time frame for keeping the records.

4. Section 117.53. Emergency contraception.—Need; Clarity.

Subsection (b) allows hospitals to require a sexual assault victim to submit to a pregnancy test before providing emergency contraception. PA NOW and the Pennsylvania American Civil Liberties Union (PA ACLU) questioned the reason for this provision. They noted that because emergency contraception has no effect on eliminating an existing pregnancy, the test is not needed. In the Preamble to this proposed rulemaking, the Department confirms that “emergency contraception will not have an effect on eliminating an already existing pregnancy.” The Department should explain whether emergency contraception is contraindicated in cases where there is an existing pregnancy.

5. Section 117.54. Prevention of sexually transmitted diseases.—Fiscal impact; Protection of public health; Reasonableness.

Subsections (b)(1) and (d) reference risk assessment standards of the United States Department of Health and Human Services Center for Disease Control and Prevention. The final-form regulation should include a more specific citation to these standards.

Subsection (d) requires a hospital to provide a victim with postexposure prophylactic treatment when requested by that victim. PA NOW has noted that hospitals typically provide a victim with a three to five day supply of the medication, but the entire course of treatment may include a month’s worth of medication. Is a hospital required to supply a victim with the necessary medication for the entire postexposure prophylactic treatment? This issue should be addressed in the final-form regulation.

6. Section 117.56. Information regarding payment for sexual assault emergency services.—Fiscal impact; Need; Reasonableness.

PA NOW noted that Pennsylvania law at 42 Pa.C.S.A. § 1726.1 states that a victim may not be charged for medications prescribed during an examination related to any crime under 18 Pa.C.S.A. Chapter 31 (relating to sexual offenses). In addition, the Hospital and Healthsystem Association of Pennsylvania (HAP) noted that this section is not necessary because hospitals already provide this information and suggested that

financial resources information should be included in the informational materials developed and provided by the Department.

The Department should strive to insure that victims and health care facilities are not unduly burdened by the financial costs that result from these crimes. The Department should explain how costs for emergency services and medications are covered. The regulation should require that victims receive comprehensive information on their financial responsibility and all resources available to them for covering the costs of their treatment.

7. Section 117.57. Religious and moral exemptions.—Fiscal impact; Protection of public health, safety and welfare; Consistency with other statutes; Reasonableness; Implementation procedures; Clarity.

This section gives an exemption to a hospital that does not provide emergency contraception because this service is contrary to its stated religious and moral beliefs. Under Paragraph (1), if a hospital does not provide emergency contraception, it must provide notice to the victim that the service is not provided because it is contrary to its stated beliefs. Paragraph (2) requires the hospital to arrange, upon the request of the victim, “for the immediate transfer of the victim, at no cost, to a hospital in this Commonwealth in close proximity that does provide those services.” We have eight concerns and questions

First, this section presents two distinct legal issues. The Pennsylvania Catholic Conference and Pennsylvania Catholic Health Association (PCC/PCHA) believe that the transportation requirement violates Pennsylvania’s Religious Freedom Protection Act (71 P.S. § 2407), the Abortion Control Act (18 Pa.C.S.A § 3213) and the Health Care Facilities Act (35 P.S. § 448.902(a)) because it imposes requirements that would violate its beliefs. In contrast, PA NOW believes this section violates Pennsylvania’s Human Relations Act (43 P.S. §§ 951—963) because it discriminates against women. In the Preamble to the final-form regulation, the Department should explain how this section is consistent with Pennsylvania law.

Second, as we noted above, Section 117.52 does not address the prompt assessment of other physical injuries that may be associated with a sexual assault. This assessment is even more critical when the victim may be transferred to another facility. For example, the AAP and PA ACLU question what will be done with a victim that requests or is in need of sexual assault emergency services but has other injuries that require immediate attention. The Department should explain how a victim’s request for sexual assault emergency services will be met by a hospital that does not provide those services if the victim has other injuries that require immediate attention.

Third, the phrase “religious or moral beliefs” is not defined. What criteria will the Department use to determine if a particular religious or moral belief qualifies a hospital for the exemption?

Fourth, what sort of documentation must a hospital provide to prove that it qualifies for the exemption? Must the stated beliefs make reference to a hospital’s views on providing sexual assault emergency services and emergency contraception? This should be specified in the final-form regulation.

Fifth, under Paragraph (2), the AAP questioned if it is the Department’s intent to mandate transfer by ambulance to another hospital and if so, what is the Depart-

ment’s statutory authority for this provision. This should also be explained in the Preamble to the final-form regulation.

Sixth, commentators representing ambulances and hospitals question who is ultimately responsible for paying for the transfer of the victim. We share this concern and ask the Department to quantify the actual costs of transferring the victims to a hospital that provides the necessary services. We have a similar concern with Section 117.58(b)(1), which also relates to the transfer of victims.

Seventh, we question the phrase “close proximity.” Both the Department of Aging and PA ACLU believe it would benefit the victim more if that person was transferred to the “closest” hospital that provides the necessary services. We agree and note that the “closest” hospital should also have the availability to serve the victim. We have a similar concern with Section 117.58 (b)(2).

Eighth, we agree with the Department of Aging that hospitals be required to prominently display public notices to inform the public of the type of emergency services provided to sexual assault victims.

8. Section 117.58. Hospitals not providing sexual assault emergency services.—Reasonableness; Clarity.

This section imposes notification requirements on hospitals that elect not to provide sexual assault emergency services to victims.

The delineation of different types of emergency services is unclear. The final-form regulation should clarify that this section pertains to two types of hospitals. First, it applies to hospitals that do not provide any sexual assault emergency services. Second, it applies to hospitals that provide sexual assault emergency services but do not provide emergency contraception.

Subsection (a) pertains to notification to the Department. It states that the Department will compile a list of hospitals that have chosen not to provide sexual assault emergency services and publish this list in the *Pennsylvania Bulletin*. However, this subsection does not state when or how often the Department will publish this list. We recommend that the list be published annually and updated whenever a hospital decides to not provide sexual assault emergency services. This would provide the regulated community with necessary information to make informed decisions.

Under Subsection (a)(3), hospitals are required to notify ambulance and emergency care services that the hospital will not provide sexual assault emergency services. When a victim is being transported to a hospital by an ambulance or emergency medical services (EMS) vehicle for initial treatment after the assault, should the regulation require the ambulance or EMS personnel to inform the victim of their hospital choices and whether emergency contraception is available at the hospitals? This provision could allow the victim to avoid another ride to a different hospital if they want access to emergency contraception.

9. General.—Consistency with other existing regulations; Implementation procedures; Need; Clarity; Duplication.

Sexual assault, rape and other similar crimes

This proposed regulation introduces the term “sexual assault” into 28 Pa. Code Chapters 101 and 117. However, the existing regulations in Chapter 117 already contain the related term “rape” which is included in the defini-

tions set forth in 18 Pa.C.S.A. Chapter 31, Subchapter B (18 Pa.C.S.A. §§ 3121—3129). The term “rape” is used in the Department’s existing regulations at 28 Pa. Code §§ 117.15 and 117.41. It also appears in 28 Pa. Code §§ 29.38, 51.3, 709.43 and 711.42.

The Department should review its use of the terms “rape” and “sexual assault” in this proposed regulation and its existing regulations to be sure that these terms are used consistently and do not cause confusion. For example, Section 117.41(b)(9) requires that hospitals do the following:

Plan for communication with police, local or State health or welfare authorities as appropriate, regarding accident victims and patients whose condition or its cause is reportable, for example, persons having contagious diseases or victims of suspected criminal acts such as *rape* or gunshot wounds, see 18 Pa.C.S.A. § 5106 (relating to failure to report injuries by firearm or criminal act), and child abuse, see 11 P. S. §§ 2201—2224. (Emphasis added.)

At a minimum, the Department needs to explain how the implementation of the proposed regulation will interface with its existing regulations. In addition, the Department should consider revising its regulations to bring greater consistency to the use of the terms “rape” and “sexual assault.” Revisions for consistency in Chapter 117 could be accomplished via this rulemaking. Provisions in other chapters could be updated in a separate rulemaking.

Section 117.51. Principle.—Need; Clarity.

The need and purpose of this section is not apparent. It does not provide any information or discussion of policy or requirements that is not already set forth in the other substantive provisions of the proposed regulation. This section reads more as a “table of contents” rather than a regulatory provision. It is duplicative of other sections in the proposed regulation and it should be deleted.

Purpose of the regulation—Clarity.

Both the Regulatory Analysis Form and the Preamble note the number of rapes and sexual assaults that have occurred in Pennsylvania. However, the Department did not quantify the number of victims that did not receive appropriate and necessary emergency services and/or emergency contraception, or incidents where there were problems with communication between hospitals and law enforcement officials or other authorities. The Department should provide more background information on these areas when it submits the final-form regulation.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-20. Filed for public inspection January 5, 2007, 9:00 a.m.]

PENNSYLVANIA GAMING CONTROL BOARD

Filing and Copying Fees

The Pennsylvania Gaming Control Board (Board), under 4 Pa.C.S. § 1208 (relating to collection of fees and fines), is authorized to levy and collect fees to fund the operations of the Board.

To cover the majority of the costs associated with filing various documents and making copies, the Board adopted the following fees at its December 20 public meeting. The fees are effective immediately.

Fee Schedule

First filings (Complaints and Petitions)	\$ 225.00
Response to initial pleading	\$ 100.00
Additional Parties	\$ 50.00
Second and subsequent filings	\$ 50.00
Motions	\$ 100.00
Exceptions	\$ 125.00
Appeals	\$ 150.00
Copies (per page)	\$ 1.50
Certified copies (per page)	\$ 5.00

THOMAS A. DECKER,
Chairperson

[Pa.B. Doc. No. 07-21. Filed for public inspection January 5, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Comment and Reply Comment Schedule for M-00011468F0011—PMO II; Proposed Revisions to PA Performance Assurance Plan (PA PAP) Based on Footprint PAP Changes Stemming from NY PSC September 25, 2006 PAP Changes Order¹

*To all Entities Affected by the Metrics and Remedies
Established in M-00011468*

This Secretarial Letter sets forth a comment period ending January 12, 2007, and a reply comment period ending February 13, 2007, for addressing proposed changes to the Pennsylvania Performance Assurance Plan (PA PAP).

Verizon PA filed and electronically served the proposed changes on November 21, 2006, and has posted them at www22.verizon.com/wholesale/clecsupport/content/1,,east-performancemeasures-pa,00.html. The proposed changes were reviewed at the regularly scheduled, public session of the PA Carrier Working Group (CWG) on December 5, 2006, at which time, the previously referenced comment and reply periods were agreed upon.

Verizon PA’s overview presentation to the PA CWG on December 5, 2006, indicates that changes to the following aspects, inter alia, of the PA PAP have been proposed:

¹ The October 23, 2006 NY PSC order is posted at [www3.dps.state.ny.us/pscweb/WebFileRoom.nsf/Web/294DA3851330E57085257209006C14E0/\\$File/97c0139_10_23_06.pdf?OpenElement](http://www3.dps.state.ny.us/pscweb/WebFileRoom.nsf/Web/294DA3851330E57085257209006C14E0/$File/97c0139_10_23_06.pdf?OpenElement). The complete docket may be viewed by accessing this link [www3.dps.state.ny.us/pscweb/WebFileRoom.nsf/Web?SearchView&View=Web&Query=\[CaseNumber\]=97-C-0139&SearchOrder=4&Count=All](http://www3.dps.state.ny.us/pscweb/WebFileRoom.nsf/Web?SearchView&View=Web&Query=[CaseNumber]=97-C-0139&SearchOrder=4&Count=All).

- Remove UNE-P, Line Sharing & Line Splitting Products and Services from the PA PAP²
- Change Modes of Entry
- Change Critical Measures
 - Change the Individual Rule Scoring
 - Reduce from 105 to 50 measures
- Remove Special Provisions and Change Control Assurance Plan but move On-Time Change Management Notice metric to Critical Measures
- Reduce Dollars at risk by 65%
- Change Scoring Mechanisms
 - Eliminate recapture
 - Double the Z-Score to determine miss for aggregate parity metrics
 - Increase by factor of 6 the Z-Score to determine Individual Rule parity misses
 - Establish that typical benchmark metrics are missed only if performance is 10% below standard
- Reorganize the PA PAP
- Require ASCII-like reports

As outlined previously, comments regarding the proposed PA PAP changes are due January 12, 2007; reply comments are due February 13, 2007. Consistent with the procedures at this docket, you must file your pleadings in hard copy with the Office of the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 and serve the parties with electronic copies on or before the due dates. Persons who have any questions should contact Ted Farrar, Bureau of Fixed Utility Services, (717) 783-5941 or Louise Fink Smith, Law Bureau, (717) 787-8866.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-22. Filed for public inspection January 5, 2007, 9:00 a.m.]

Natural Gas Service

A-123100F0037. UGI Utilities, Inc. Application of UGI Utilities, Inc. for approval to begin to offer, render, furnish or supply gas utility service to the public in the additional territories of the Borough of Mount Pocono and the Townships of Paradise and Pocono in Monroe County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 22, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

² This would allow previously approved changes to remove UNE-P-related metrics from the Pa Guidelines to be implemented. See M-00011468F0009 (March 3, 2006) www.puc.state.pa.us/PcDocs/595390.doc.

Applicant: UGI Utilities, Inc.

Through and By Counsel: Marc C. Morrow, Esquire,
460 North Gulph Road, King of Prussia, PA 19406

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-23. Filed for public inspection January 5, 2007, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 29, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.

A-00123344 American Medical Response Mid-Atlantic, Inc. (6200 South Syracuse Way, Suite 200, Greenwood Village, CO 80111), a corporation of the Commonwealth, common carrier—persons in paratransit service, between points in the Counties of Washington, Beaver, Butler, Fayette, Lawrence and Mercer and from points in the said counties and the County of Allegheny, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-00123344, F.2 American Medical Response Mid-Atlantic, Inc. (6200 South Syracuse Way, Suite 200, Greenwood Village, CO 80111), a corporation of the Commonwealth, common carrier—persons in paratransit service, between points in the City and County of Philadelphia and the Counties of Delaware, Montgomery and Bucks, and from points in the said city and counties, to points in Pennsylvania, and return. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

A-00123345 La Vie Medical Transportation, Inc. (3927 Mary Street, Drexel Hill, Delaware County, PA 19026), a corporation of the Commonwealth, common carrier—persons in paratransit service, in the City and County of Philadelphia and the Counties of Bucks, Delaware, Chester and Montgomery. *Attorney:* Vincent Carosella, Jr., 882 South Matlack Street, Suite 101, West Chester, PA 19382.

A-00123348 Philadelphia Historic African American Tours, LLC (28 Green Valley Road, Wallingford, Delaware County, PA 19086), a corporation of the Commonwealth—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the City of Philadelphia to points in the Counties of Bucks, Chester, Delaware, Lancaster and Montgomery, and return.

A-00123351 903 Rentals, Inc. (1358 SR 903, Jim Thorpe, Carbon County, PA 18229), a corporation of the Commonwealth, common carrier—persons in limousine service, in the County of Carbon, to points in Pennsylvania, and return.

A-00123357 Gloria Jean Boll (147 Sheaffer School Road, Ephrata, Lancaster County, PA 17522)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

A-00123358 The Jonathan Connection, LLC. (P. O. Box 1213, Erie, Erie County, PA 16512), a Pennsylvania Limited Liability Company—persons, in paratransit service, in the County of Erie, and from said county to points in Pennsylvania, and return.

Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.

A-00123355 Daydream Tours, LLC (4997 Wampum Mt. Air Road, New Galilee, Lawrence County, PA 16141), a limited liability company of the Commonwealth of Pennsylvania—brokerage license—to arrange for the transportation of persons between points in Pennsylvania.

Complaint

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Ray A. George t/a George Courier Service; Doc. No. A-00119266C0601

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Ray A. George, t/a George Courier Service, respondent, maintains his principal place of business at 611 A South 17th Street, Harrisburg, PA 17104.

2. That respondent was issued a certificate of public convenience by this Commission on December 13, 2002, at Application Docket No. A-00119266.

3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2003, 2004 and 2005.

4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, failed to comply with the January 11, 1999 Commission Decision at P-981458 and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00119266.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____
Wendy J. Keezel, Chief of Enforcement

NOTICE

A. You must file an answer within twenty days of the date of service of this Complaint. The date of service is the mailing date, as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-24. Filed for public inspection January 5, 2007, 9:00 a.m.]

Telecommunications

A-311401F7001. Verizon North, Inc. and CBB Carrier Services, Inc. Joint petition of Verizon North, Inc. and CBB Carrier Services, Inc. for approval of amendment no. 2 to an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and CBB Carrier Services, Inc., by its counsel, filed on December 15, 2006, at the

Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 2 to an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and CBB Carrier Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-25. Filed for public inspection January 5, 2007, 9:00 a.m.]

Telecommunications

A-311281F7001. Verizon North Inc. and Citynet Pennsylvania, LLC. Joint petition of Verizon North Inc. and Citynet Pennsylvania, LLC for approval of adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon North Inc. and Citynet Pennsylvania, LLC, by its counsel, filed on December 19, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North Inc. and Citynet Pennsylvania, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-26. Filed for public inspection January 5, 2007, 9:00 a.m.]

Telecommunications

A-311401F7000. Verizon Pennsylvania, Inc. and CBB Carrier Services, Inc. Joint petition of Verizon Pennsylvania, Inc. and CBB Carrier Services, Inc. for approval of amendment no. 2 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and CBB Carrier Services, Inc., by its counsel, filed on December 15, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment no. 2 to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and CBB Carrier Services, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-27. Filed for public inspection January 5, 2007, 9:00 a.m.]

Telecommunications

A-311014F7004. Windstream Pennsylvania Inc. and Armstrong Telecommunications Inc. Joint petition of Windstream Pennsylvania Inc. and Armstrong Telecommunications Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania Inc. and Armstrong Telecommunications Inc., by its counsel, filed on December 20, 2006, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Windstream Pennsylvania Inc. and Armstrong Telecommunications Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-28. Filed for public inspection January 5, 2007, 9:00 a.m.]

Wastewater Service

A-230109. Eagleview Environmental Enterprises, Inc. t/a Eagleview Environmental. Application of Eagleview Environmental Enterprises, Inc. t/a Eagleview Environmental for a certificate of public convenience authorizing it to commence wastewater service in portions of Upper Uwchlan and Uwchlan Township, Chester County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 22, 2007. The documents filed in support of the application are available for inspection and

copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Eagleview Environmental Enterprises, Inc., t/a Eagleview Environmental

Through and By Counsel: Louise A. Knight, Esquire, David P. Zambito, Esquire, Saul Ewing, LLP, 2 North Second Street, 7th Floor, Harrisburg, PA 17101

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-29. Filed for public inspection January 5, 2007, 9:00 a.m.]

Water Service

A-210300F2000. Philip M. Buss Water Company, Inc. Application of Philip M. Buss Water Company, Inc., for approval of the abandonment of water service in Upper Milford Township, Lehigh County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before January 22, 2007. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Philip M. Buss Water Company, Inc.

Through and By Counsel: John E. Freund, III, Esquire, King Spry Herman Freund Faul, LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-30. Filed for public inspection January 5, 2007, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #06-182.P, Printing of PRPA Port Services Directory, until 2 p.m. on Thursday, January 25, 2007. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available January 9, 2007. PRPA is an equal opportunity employer. Contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, JR.
Executive Director

[Pa.B. Doc. No. 07-31. Filed for public inspection January 5, 2007, 9:00 a.m.]